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NIAGARA HISTORICAL SOCIETY

Niagara-on-the-Lake
Ontario

No. 44

RECORDS OF NIAGARA

A Collection of Contemporary
Letters and Documents

January to July
1813

Collected and Edited by
BRIG.-GENERAL E. A. CRUIKSHANK

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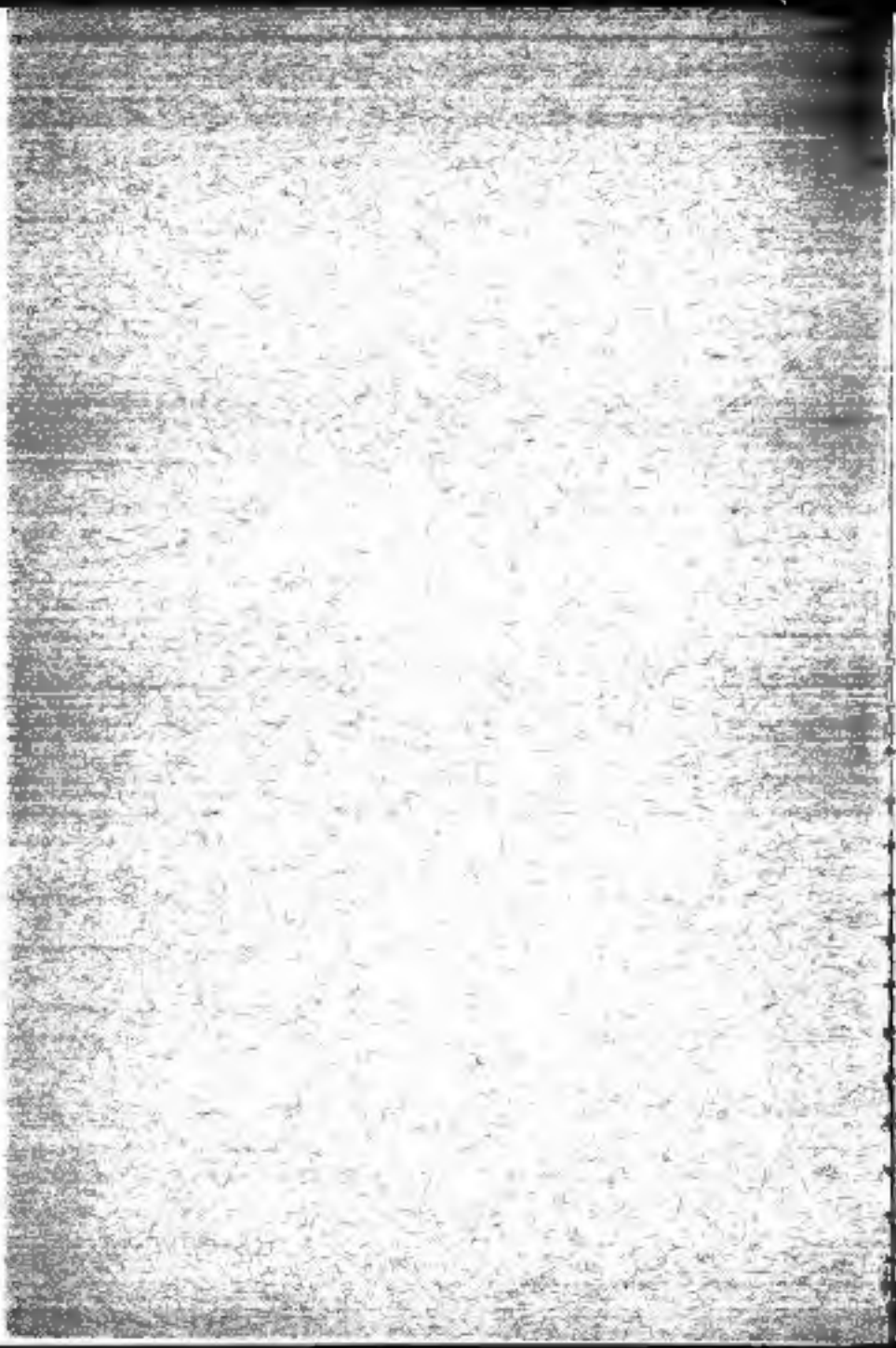
Published by the
Niagara Historical Society
1939



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LIEUT.-COLONEL CECIL BISSHOPP

(See Page 70)

PRINTED FOR
THE NIAGARA HISTORICAL SOCIETY
BY
THE NIAGARA ADVANCE
NIAGARA-ON-THE-LAKE
ONTARIO

EDITOR'S NOTE

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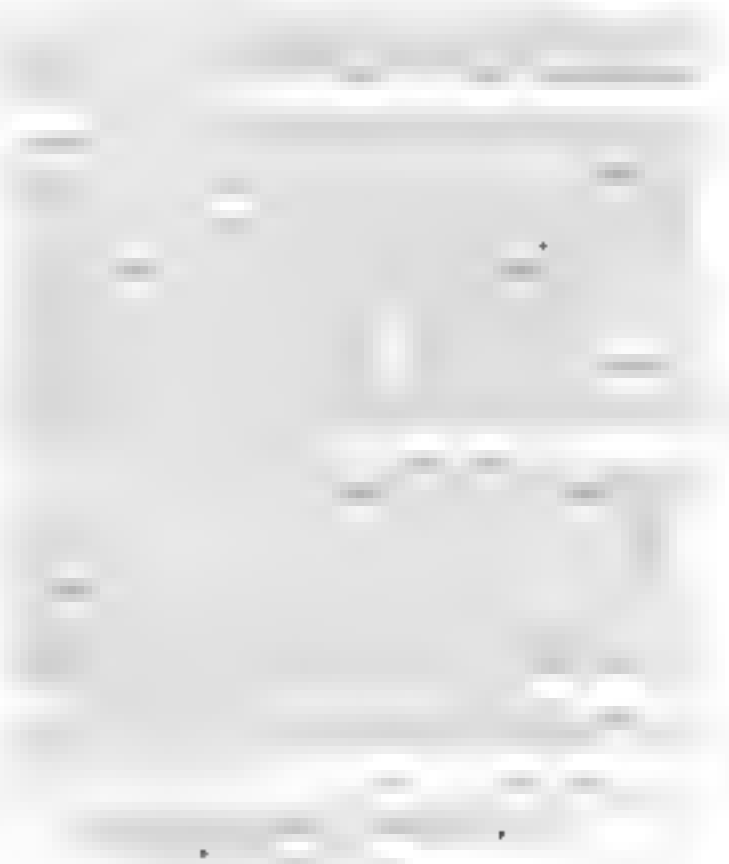
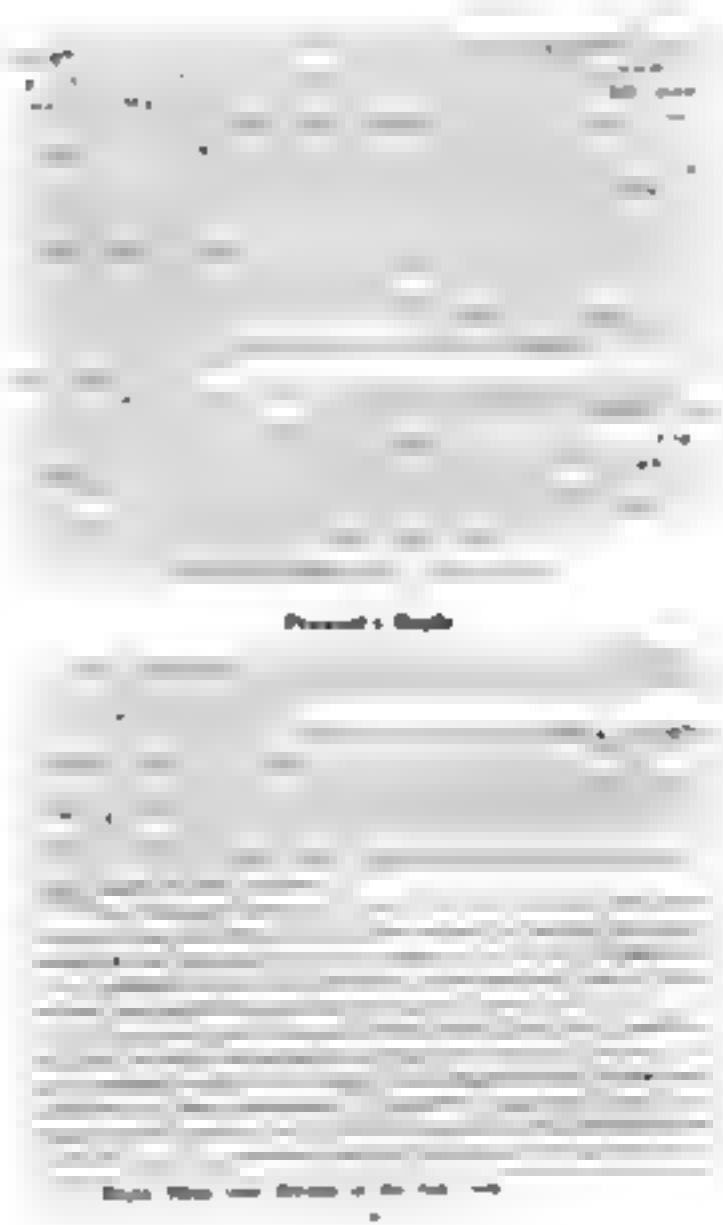
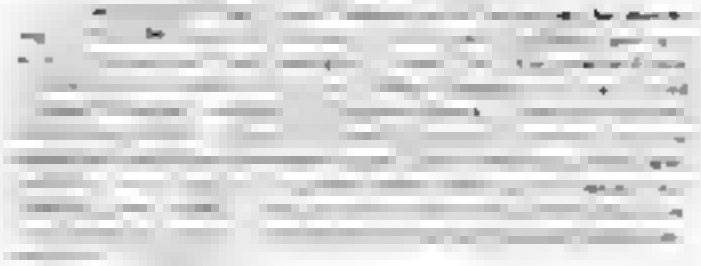
No. 44

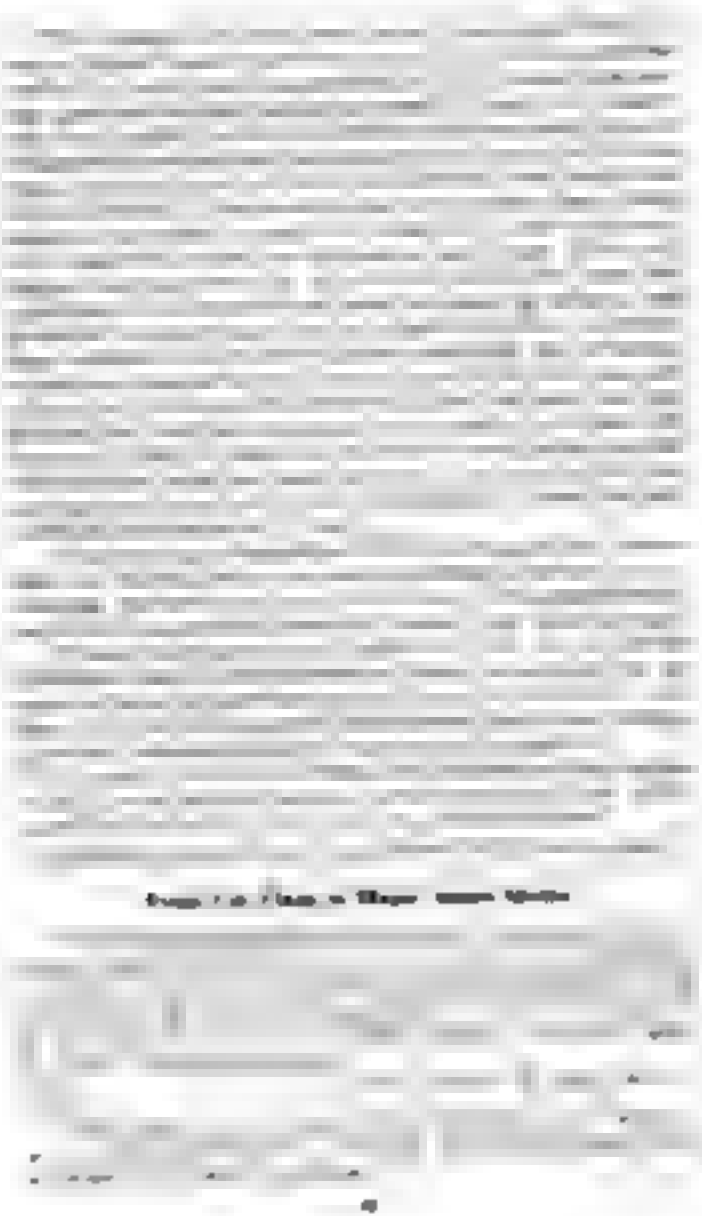
1813

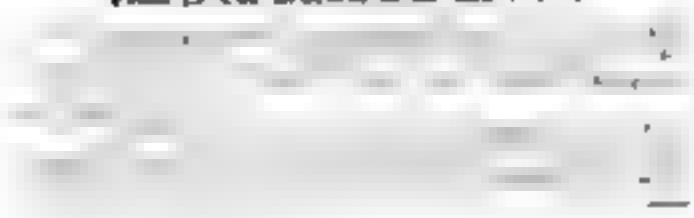
From General Sheaffe to Sir George Prevost











"Account of the tavern licenses issued in the District of Niagara between the 5th Jany and 5th day of April, 1813.

"April 5th

John Knox
Thomas Powis
James Bunting
John Smith
John Daley
William Wynn
Robert Waddle
Peter Welch
Paul Shipman
William Terryberry
John Emery
Mary M. Bride
Samuel Swayze
John Palmer
Edward Brady
James Henry
Charles Anderson
John Talley
William Vandeslip
Abraham Mallie
Frederick Anchorm
Nathan A. Fowler at £3 each.

Total amounting to sixty six pounds Halifax.

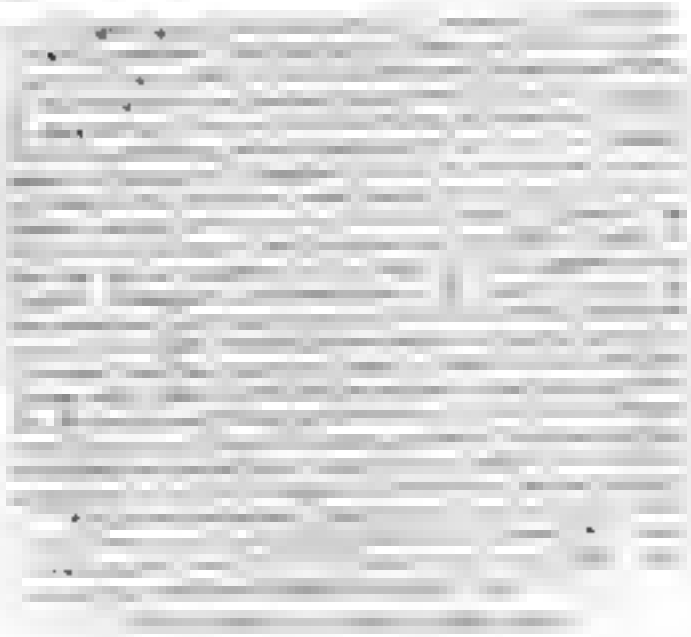
Isaac Swayze

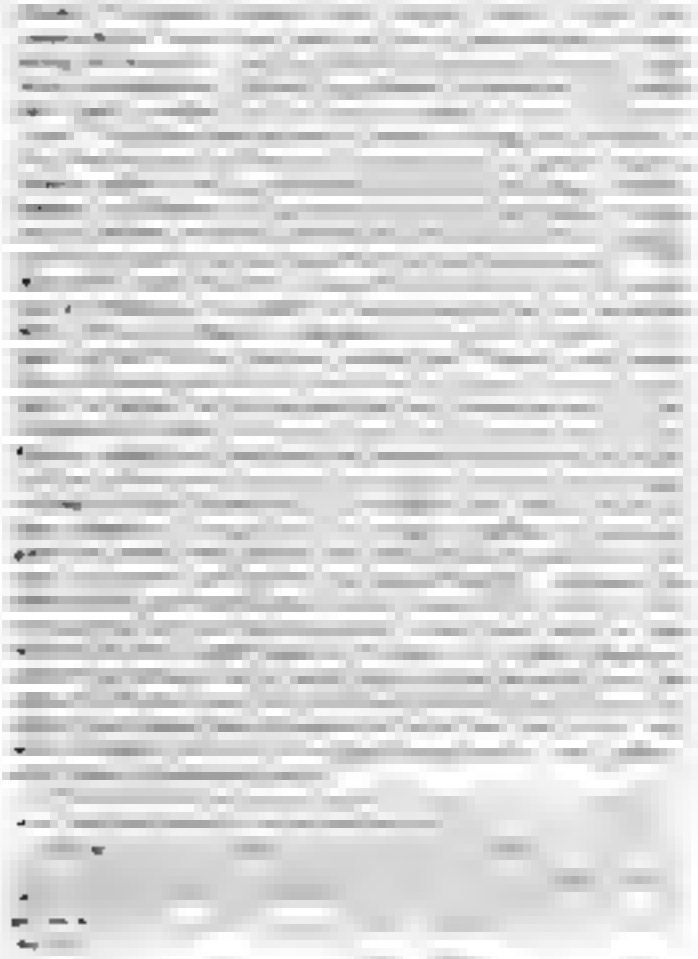
Shop Licenses

John Young
Francis Crooks
John Dorman
John Grier
William Crooks
James Crooks
John Elliott
Daniel Shuttock
Elijah Secord
Andrew Heron
John Baldwin.

From Lt.-Col. John Morton to Major-General Howe

From Charles Asken to His Father





A Cameron
Robt Campbell
Amos Chapman
S Street
T Cummings
T Clark
Sergt
George Turney
Robt

Niagara 9th May 1814

From General Vincent to General Sheaffe

By the time the squadron which had been employed on the expedition [illegible] had passed the Lake and landed the troops at Niagara [illegible] creek in rear of Fort Niagara where the [illegible] another could embark [illegible] and were encamped [illegible] days were employed in making a sufficient [illegible] Fort George [illegible] which we went [illegible] up [illegible] to make [illegible] and brought [illegible] The [illegible] of this fleet [illegible] and was manned [illegible] General Sheaffe with [illegible]

Fort George 28th May 1814

"Sir

"I have to inform you that on the [illegible] appeared on the lake [illegible] and on the morning we discovered at anchor [illegible] from shore vessels with each a large [illegible]

At daylight [illegible] seen to be [illegible] disembarking men

[illegible] an immediate attack especially [illegible] which [illegible] yesterday bringing a strong [illegible] the [illegible] and the encampment [illegible]

A [illegible] should be lost no time in [illegible] the enemy's [illegible] bringing the guns

[illegible] change in the disposition of troops since my return [illegible] yesterday except that I have ordered the detachment with the 41st [illegible] to Queenston."

From the Governor-General to Victoria

[illegible]

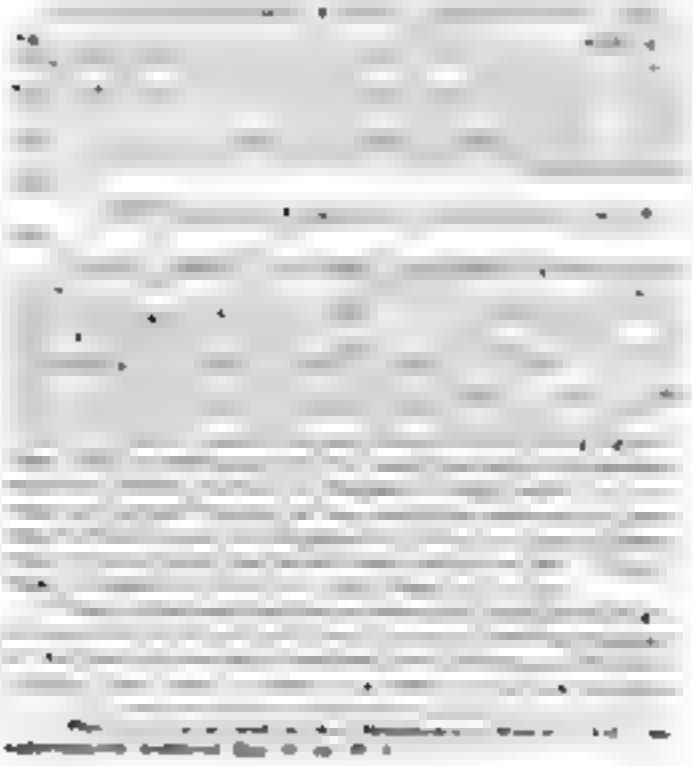
From Victoria to Victoria

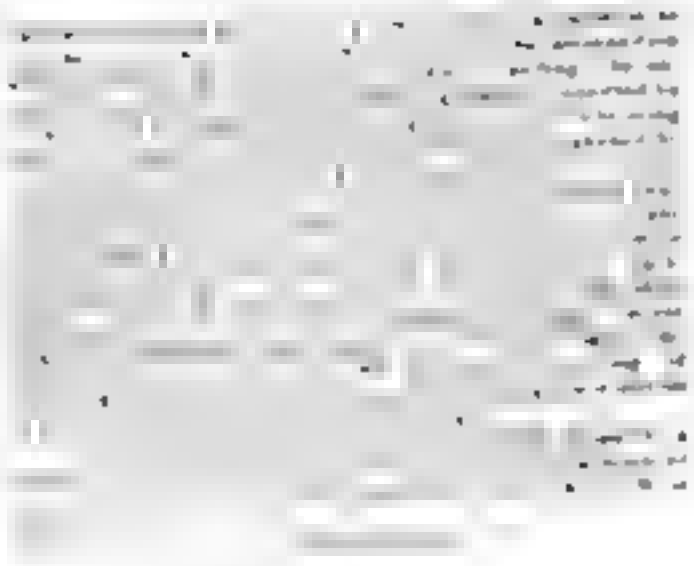
[illegible]

From Sir Geo. Prevost to Capt. Barlow

From Geo. Vincent to the Officer Commanding at Kingston

From the Sun Pursuit to the Edge of Dusk



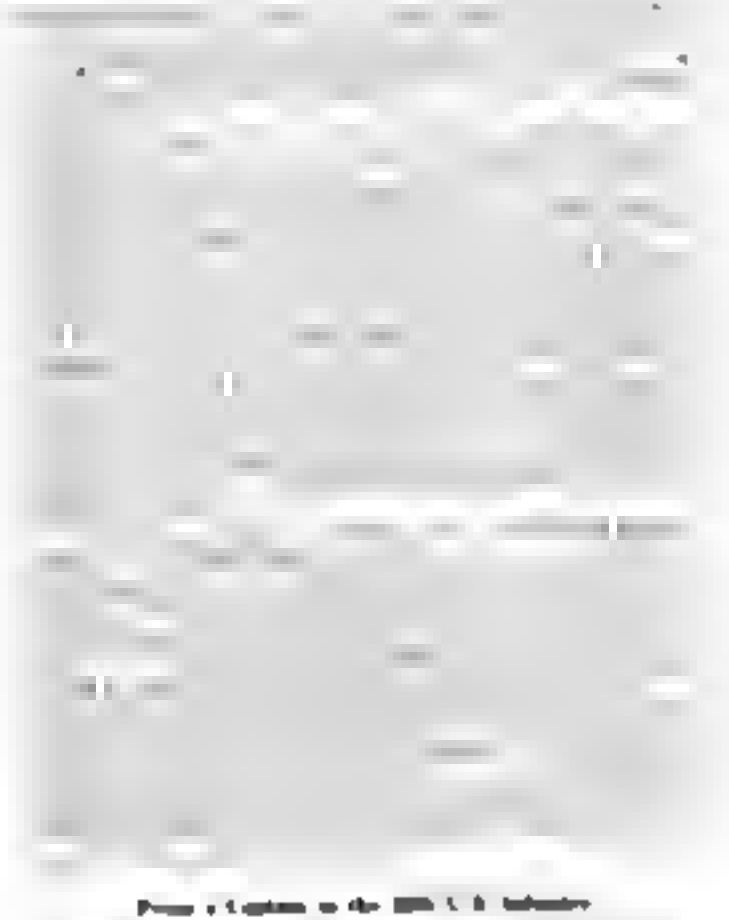


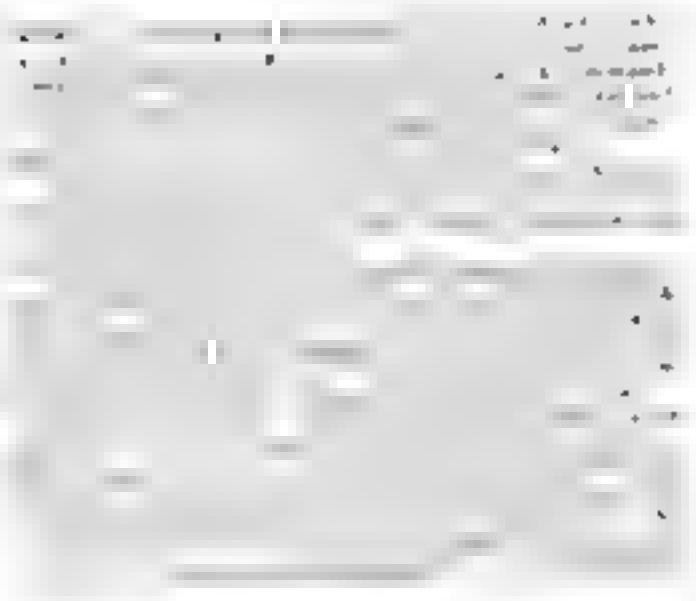
Extract from the Quebec Gazette

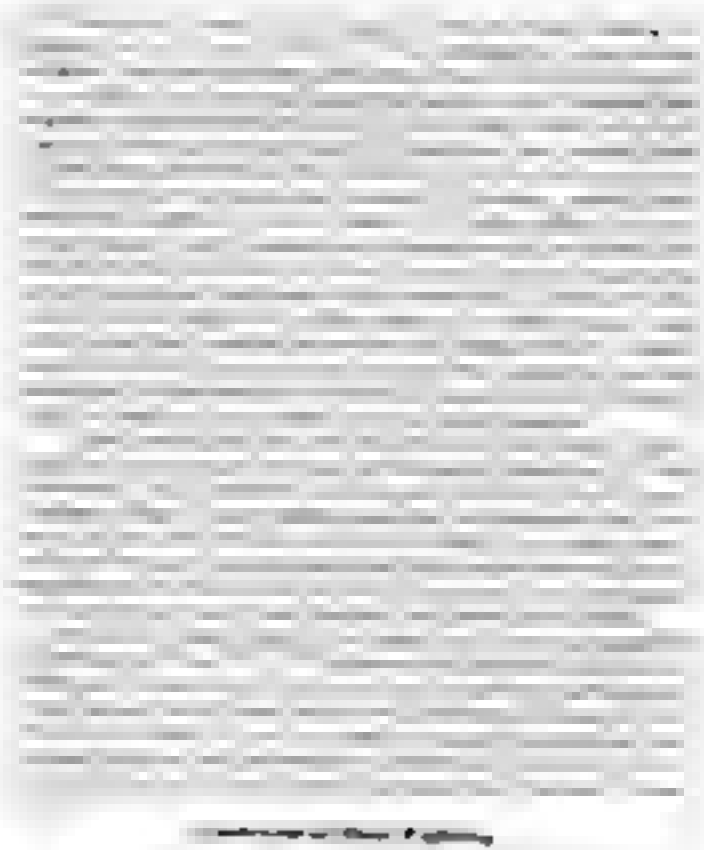
From Gen. Vincent to the Adjutant-General

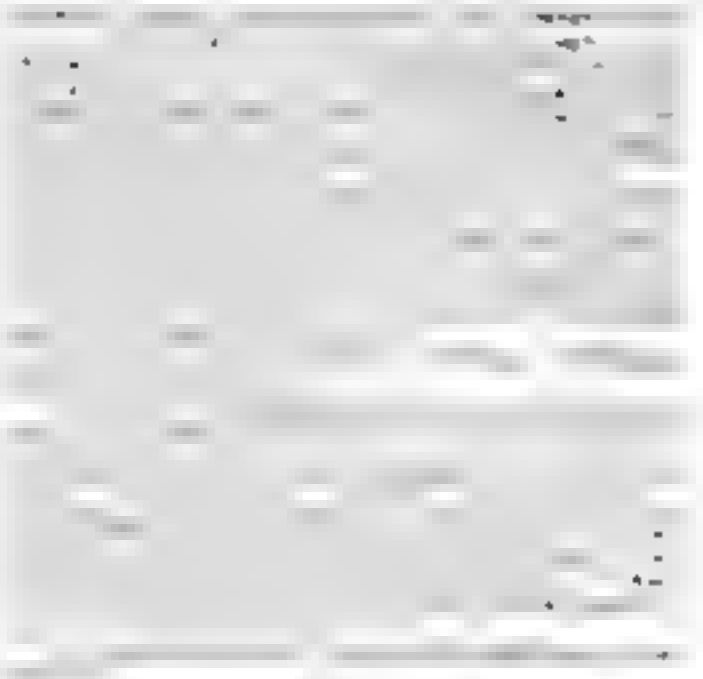
Prevost's Reply

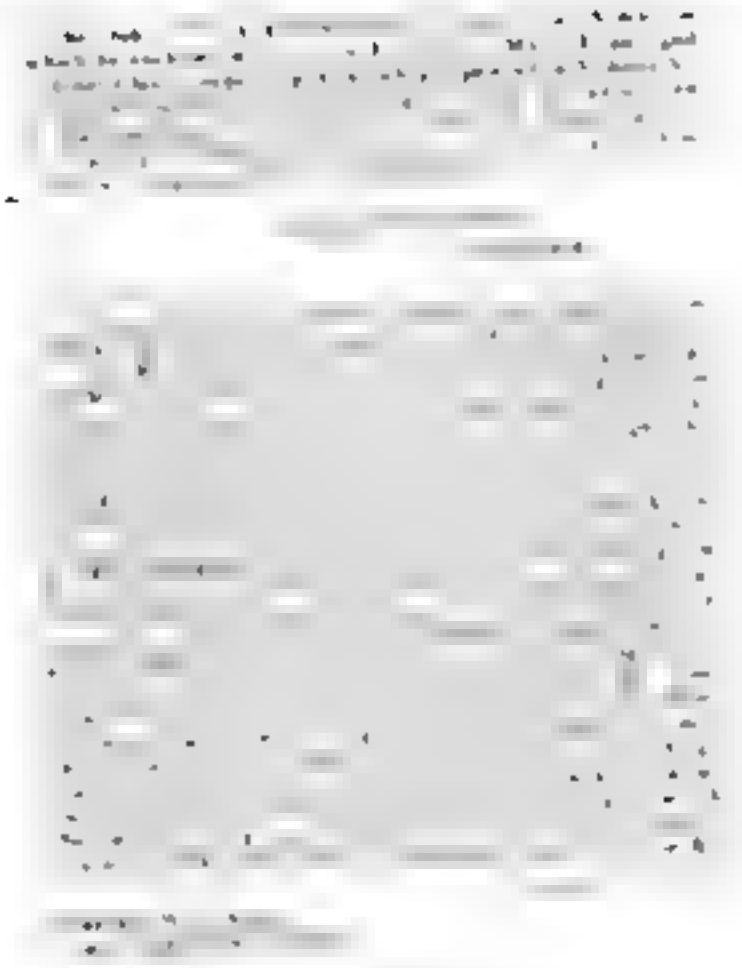
From Present to the Duke of York



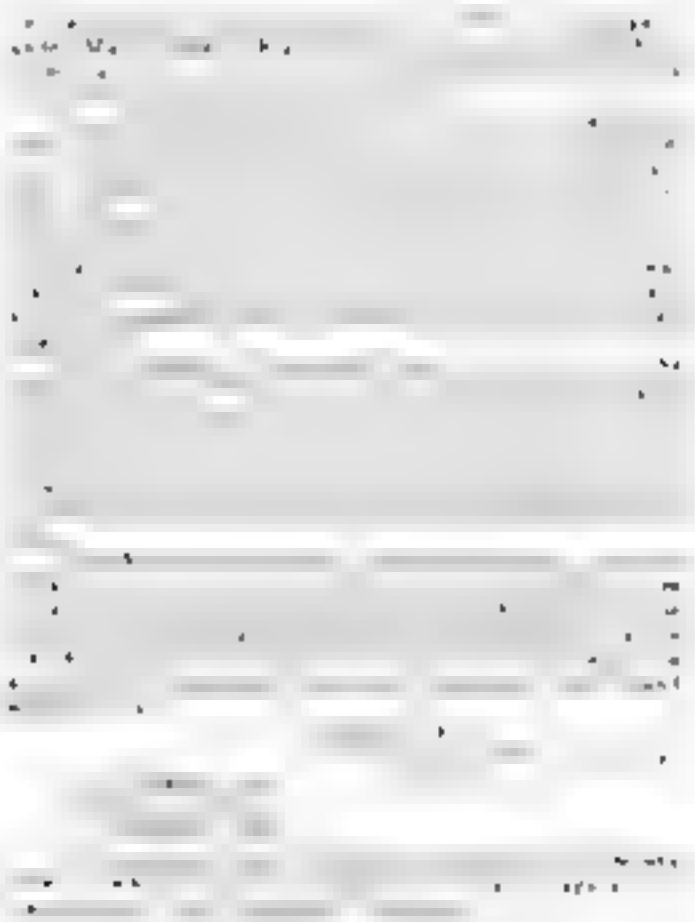








Cross Sections of Lock Bulkhead



Certificate from China

Western column and Six Indian Native [illegible] with the Enemy commenced [illegible] on the 26th day of [illegible] the [illegible] where the whole of the American [illegible] with [illegible] Enemy had [illegible] the [illegible] Nation [illegible] the [illegible]

[illegible]

[illegible]

Sir [illegible] William [illegible] Maitland [illegible] Major [illegible] the [illegible] Major [illegible] the [illegible] absence of Brig[illegible] Sir [illegible] who was [illegible] Regt [illegible] to [illegible] the [illegible] ment was made [illegible]

[illegible]

"Ma[illegible]
Secretary [illegible]
Ma[illegible]

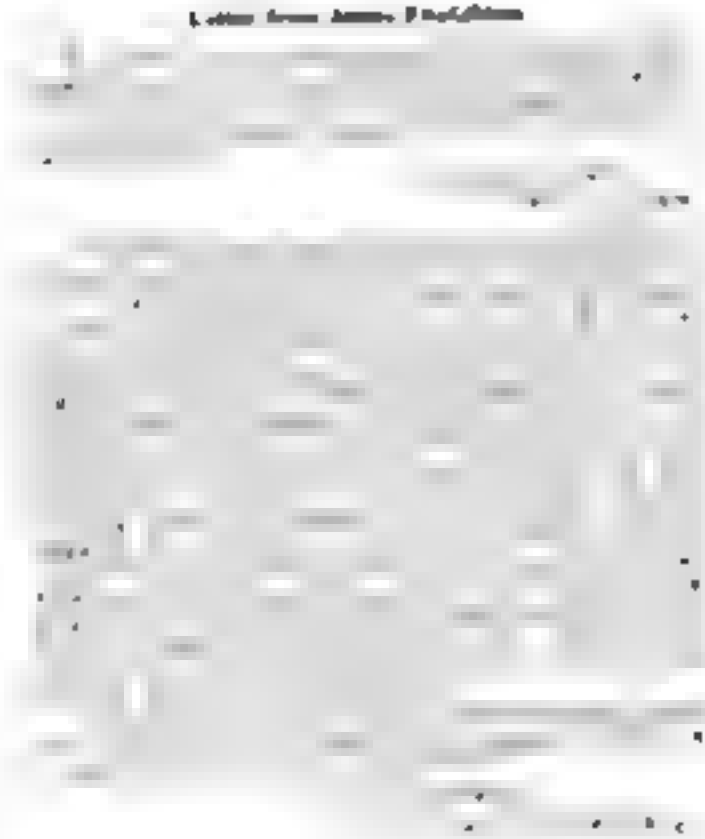
The [illegible] forme[illegible] defeating [illegible] Lieuteman[illegible]

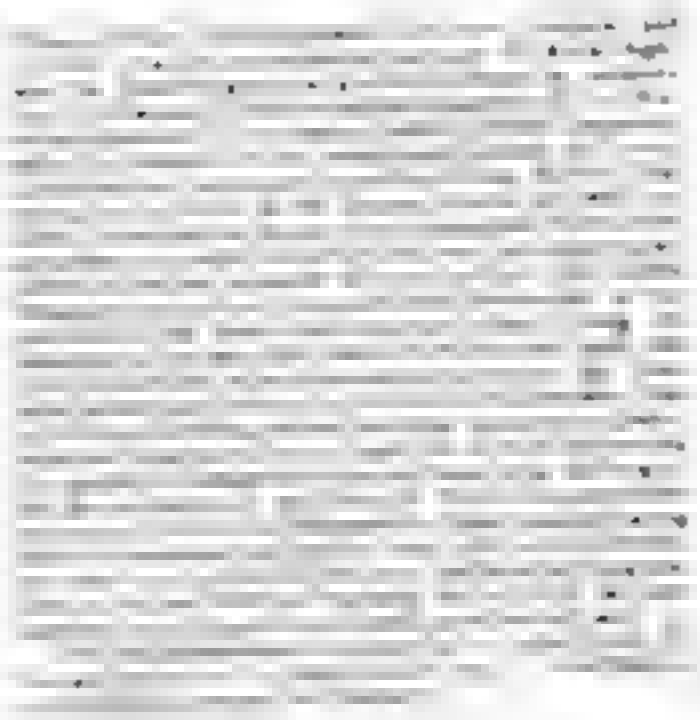
From Maitland to Earl Bathurst

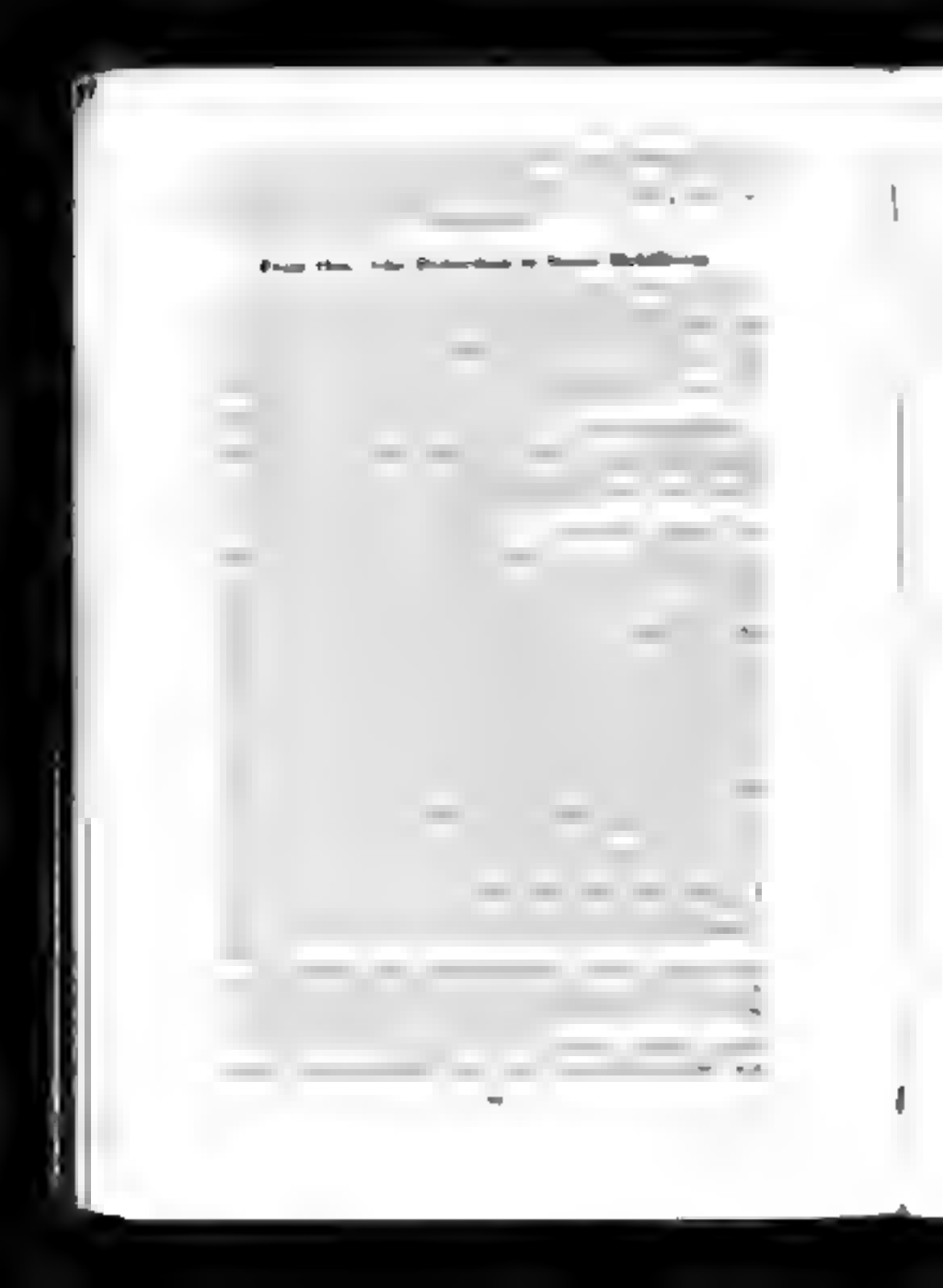
[illegible]

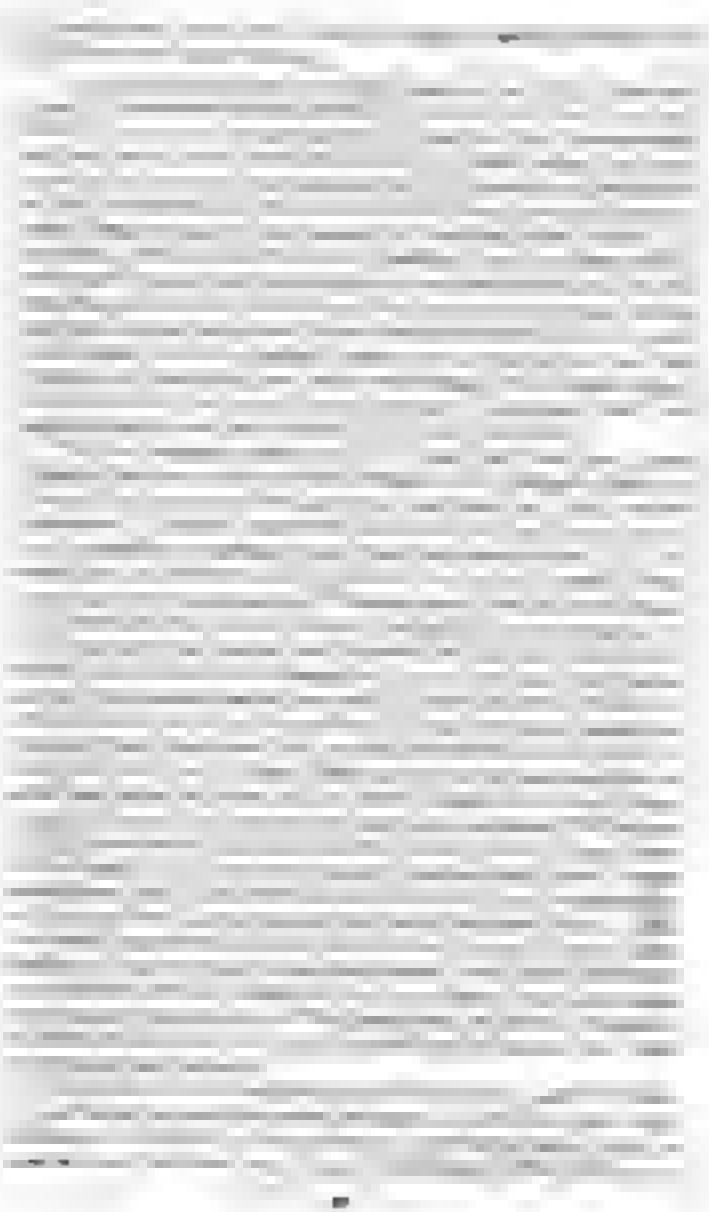
No. 98
Mi[illegible]
"My [illegible]

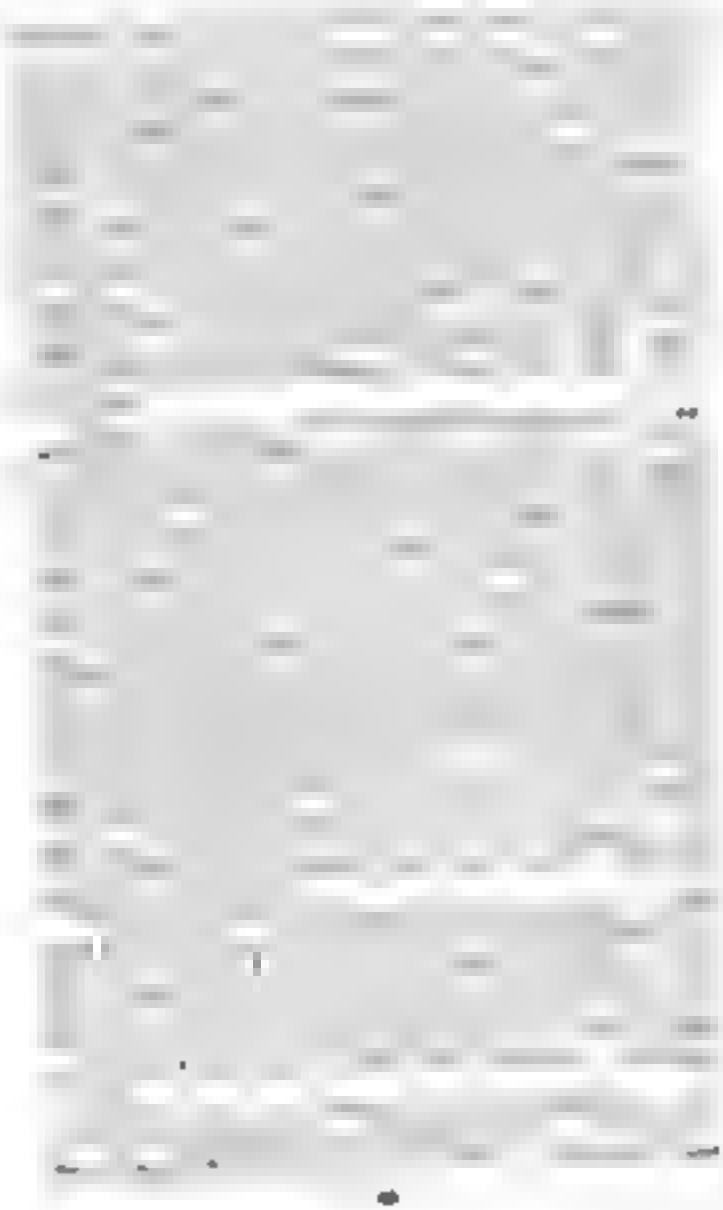
[illegible] Sir William [illegible] again in the [illegible]

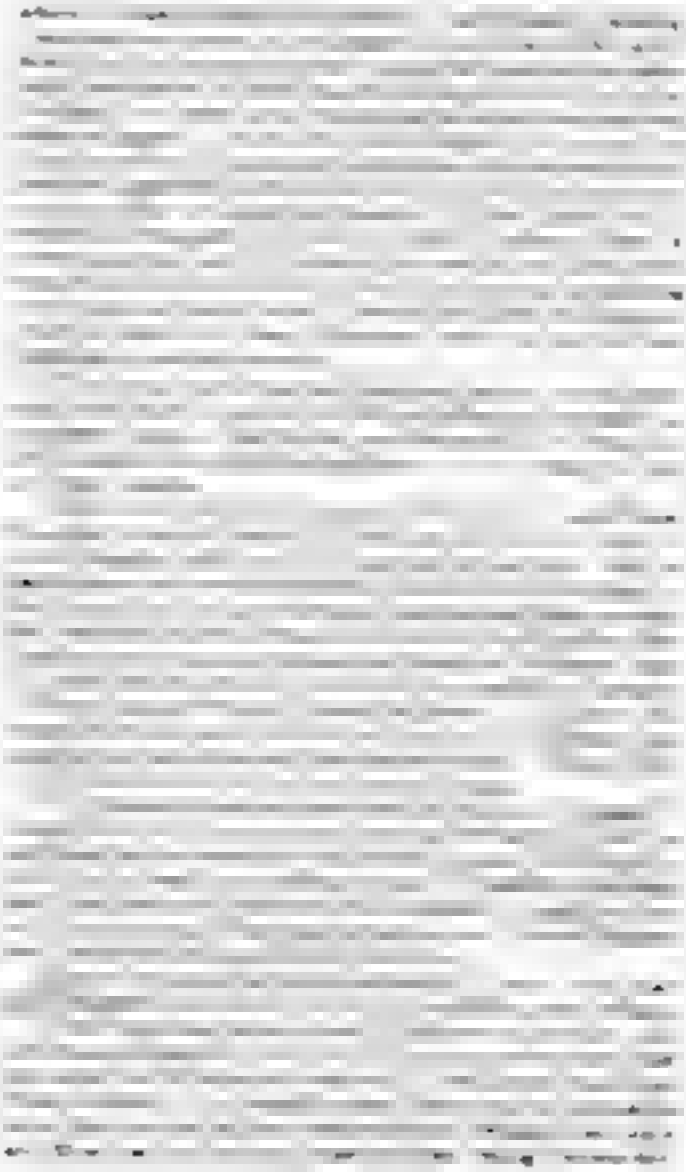


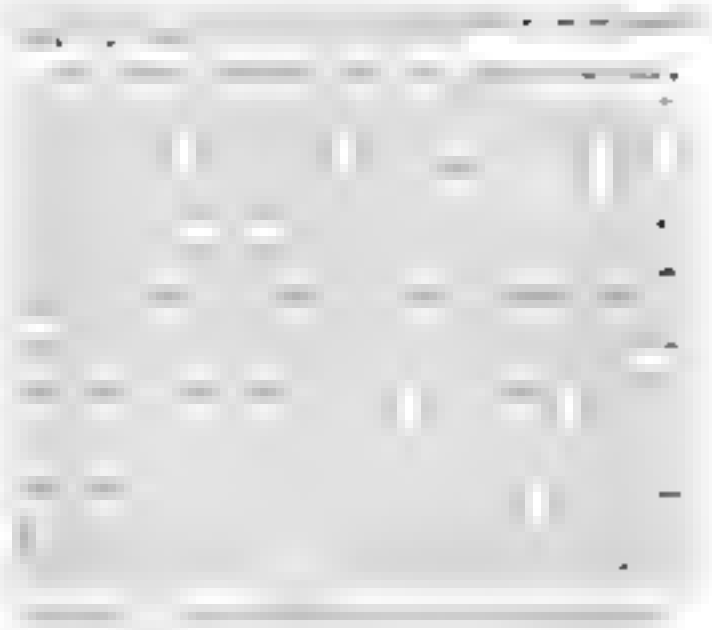


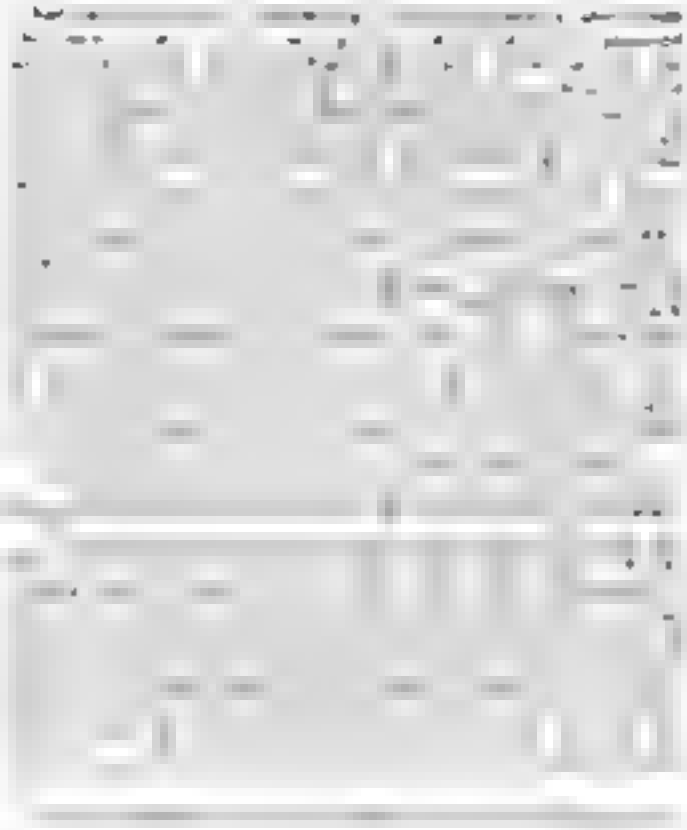


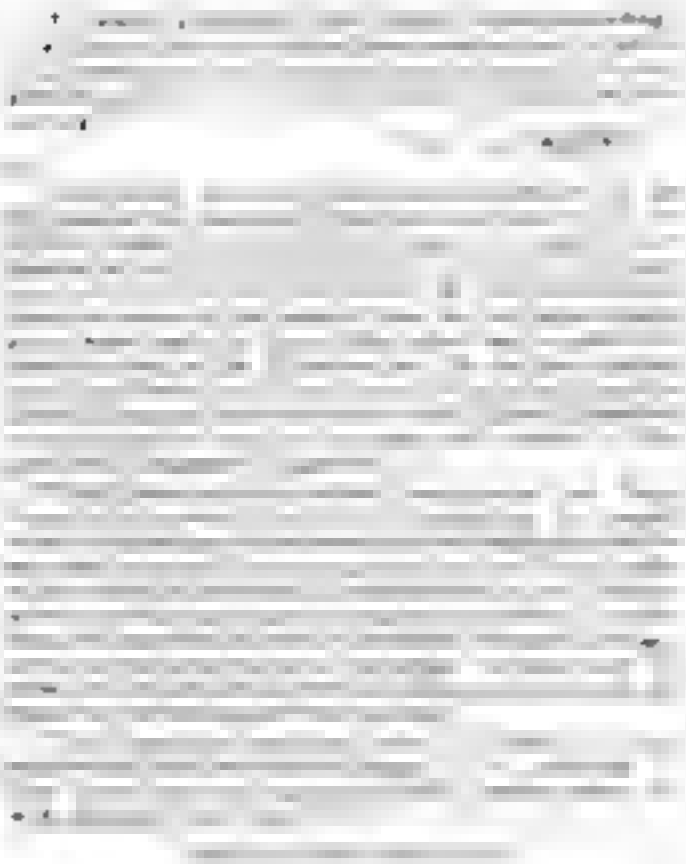


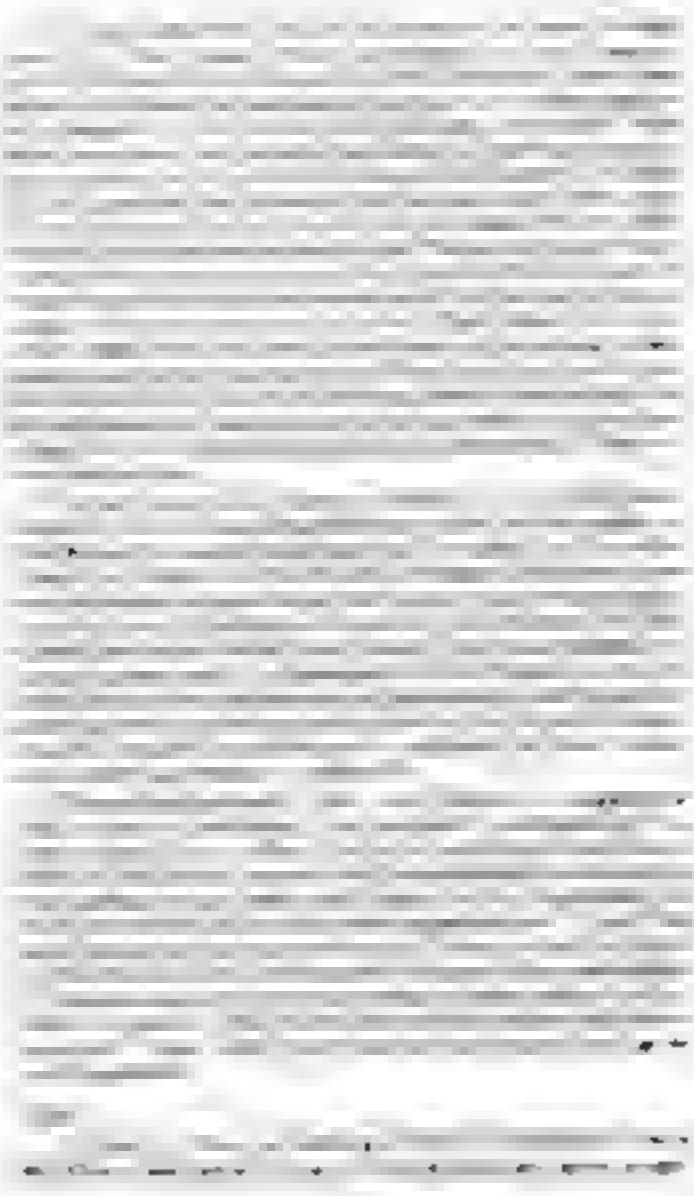








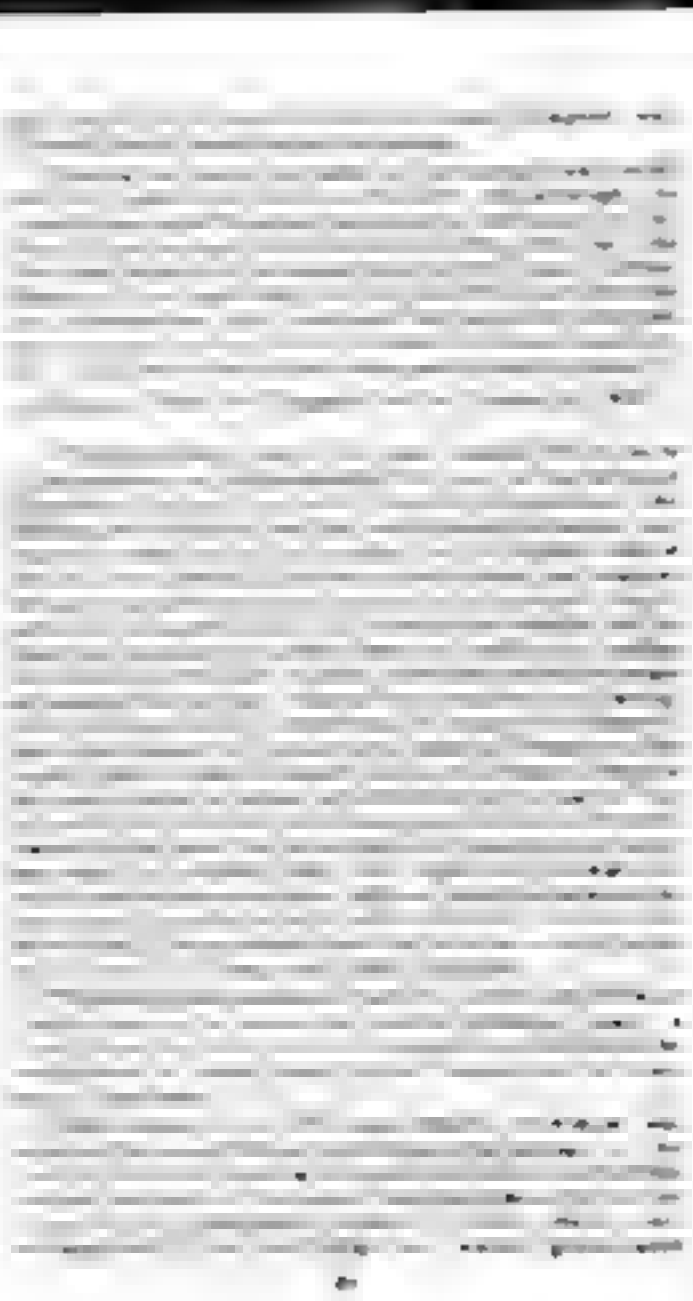


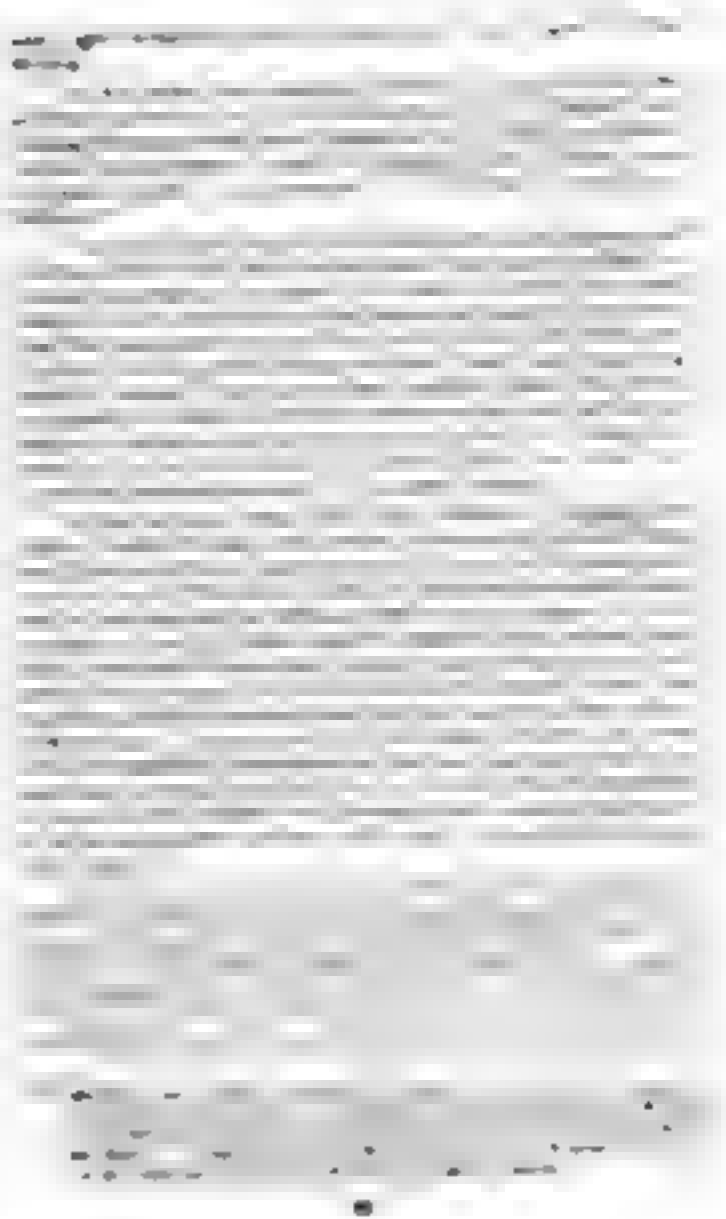


After the second retreat of the army in October 1813, his known loyalty and the fact that he was an officer in the militia and a magistrate was considered sufficient pretext for raiding his house and carrying him away as a prisoner of war. A second raid on his distillery was destroyed.

"Statement of damages sustained by a party of the American Army under the Command of General Porter and Colo. Hopkins to Geo. Adams of the Township of Grantham in the month of October 1813

"two Bays ch. horses which had just come off Duty From Major General Vincent Taken by General Porter upon the 19th October 1813	£ 50.0.0
"two Saddles and Bridles Do. do	10.0.0
"A large Distillery with three Copper Stills &c. Burned and Destroyed by a Party of the American Army under Command of Col. Hopkins on the Night of the 19th October 1813	250.0.0
"this Distillery was situate in the village of Saint Catharines in the Township of Grantham and was occupied as a Bakehouse for the use of his Majesty's troops from the time of Genl. Vincent's advance from Stony Creek until the Retreat from the Cross Roads in October	
"Halifax Cy	£310.0.0





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1813

From General Sheaffe to Sir George Prevost

Provost's Reply

From Col. Chase to Sir John Johnson

From Commodore Chauncey to Sir John Johnson

From Commodore Chauncey to General Dearborn

"I understand that these Seamen were taken on the morning of the 28th ultimo [illegible] Soldiers and are now [illegible] I must say that we will not have any [illegible] when I assure you that I hold the Navy [illegible] and the officers and men of His Majesty's Squadron under my command in the highest estimation and [illegible] upon their [illegible] I am willing to send him over upon his parole [illegible] and with compliments [illegible]

[illegible] letter book

Sheaffe's Reply

Sheaffe [illegible] 4th January 1813 [illegible] he received [illegible]

I [illegible] keeping [illegible] your [illegible] after the [illegible] thought proper [illegible] having [illegible] had been committed [illegible] with great [illegible]

[illegible] your [illegible] taken on the [illegible] Parole [illegible] entered into [illegible] not pro[illegible] Liberate [illegible] that more Pris[illegible] and the [illegible] the Niagara [illegible] remains to be done [illegible] have [illegible] Captain Brock [illegible] has [illegible] Hall and [illegible] necessary that

[illegible] Brock [illegible] 49th Regiment a brother of the Canadian

[illegible] Canadian herdsman and hunter

[illegible] Lieut. Colonel King of the Royal Artillery

[illegible] War Commemorative Number 1913 Part II p 148

From Commodore Chauncey to the Secretary of the Navy

[illegible] with [illegible] and [illegible] may be [illegible] with [illegible]

[illegible]

From Chimney to Boundary Hamilton

[illegible]

From Cut Chess to Major Assets Cuisine

"I wrote to you a few days ago enclosing a letter to Mr Askin[1] at Markham should an opportunity offer very soon timely forbearance must be urged as an answer is very soon required."

(Clous Papers, Copy in Miss Catherine Clous)

From Col. Clous to Capt. John Ferguson

His letter to Captain John Ferguson the agent at King Mon was more urgent

[illegible]

"Sir

The Inquiries [illegible] the Six Nations are of a minimum I the Lower [illegible] please give them every assistance in your power [illegible] & thousands [illegible] them be taken [illegible] [illegible] a proper requesting [illegible] [illegible] post [illegible] [illegible] Kingston [illegible] [illegible] to the [illegible] [illegible] Indians' [illegible] treat to supply [illegible]

(Clous Papers [illegible]

From Col. Clous to Provost's Secretary

Colonel Clous having [illegible] [illegible] that interest had [illegible] [illegible] sale of the [illegible] [illegible] had been [illegible] [illegible] to the attention [illegible] [illegible] from [illegible]

"I am [illegible] gone to [illegible] [illegible] Supt Genl [illegible] [illegible] [illegible] date His Excy [illegible]

[illegible] to call [illegible] [illegible] warm [illegible] [illegible] [illegible] [illegible] allow [illegible] [illegible] large [illegible] [illegible] sum of [illegible] about five hundred [illegible] [illegible] remainder in the smaller army [illegible]

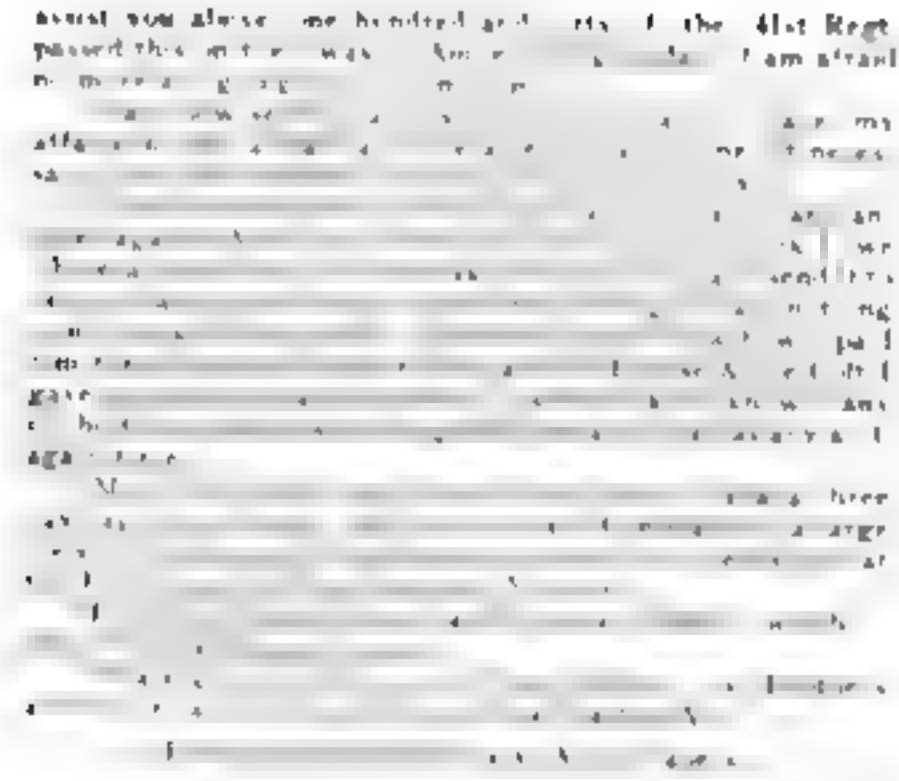
[1] John Askin Jr. storekeeper for the Indian Department at Michilimackinac and St. Joseph

Chaus. for his Bill for that amount as Trustee for the ma
ferdian Natives"

Shea ... Letter ...

From Capt Loring to the Military Secretary

From Charles Ashin to His Father



From Gen. Sheaffe to Sir George Prevost

Receiver General. The average Provincial expenses arising out of the War with the United States may be stated in round sums as follows:

Amherstburg and Detroit	£ 2,000	per	month
Long Point	500	"	"
Fort George and Dependencies	5,000	"	"
York	800	"	"
Kingston	2,000	"	"
Prescott & Eastern District	2,000	"	"
Total	£12,300		

Exclusive of Rations of Provisions.

(Sheaffe's Letter Book.)

Letters from Colonel Procter

Letters [illegible] manding at Detroit and Amherstburg [illegible] a small [illegible] and [illegible] these he said [illegible] those who [illegible] the River [illegible] serious [illegible] advance which should [illegible] but that [illegible]

[illegible] announced [illegible] of [illegible] drastic [illegible]

[illegible] Colonel [illegible] Martial Law [illegible] some of the [illegible] quit the territory [illegible] remarks [illegible]

[illegible] were Chief [illegible] and [illegible] was [illegible]

[illegible] Fort George on February 12 [illegible] general [illegible]

[illegible] forward to [illegible] letters from Colonel Procter to

gether with a copy [illegible] the Resolutions of a Party of the Inhabitants of the Territory of Michigan [illegible] referred to be here.[a] The Papers [illegible] Mr. Macintosh who [illegible] a hundred [illegible] and ready [illegible] of [illegible] these Indians [illegible] and [illegible] them as [illegible] by [illegible] happened to be here [illegible] Regts. [illegible] Talbot [illegible]

Major [illegible] he does not deem [illegible] the Regular [illegible] being [illegible] District [illegible]

[illegible]

From Charles Askin to His Brother-in-law

[illegible] interest in the [illegible] better [illegible] be made [illegible]

[illegible]

[illegible] See Michigan Pioneer and Historical Society, Vol. [illegible]

[b] One of the prisoners.

his friends at Detroit I suppose to his Wife or his Father. The detention at Niagara of these people from Detroit will be attended with a great deal of expence to them but it will teach them [illegible] behaviour & a little punishment will do them no hurt

We were [illegible] seeing General Harrison and his Army [illegible] from which I can learn I do not think we will [illegible] some time at Detroit [illegible] advance at all

We [illegible] over the enemy have not many [illegible] Niagara

[illegible] are promoted and are both Generals now

I am sorry to say [illegible] King [illegible] Naval Artificer died yesterday morning at Lake Ontario [illegible] the wounds he received [illegible] on the 8th Nov last he was an active and gallant [illegible]

[illegible] U.S. Papers

From Capt. Loring to the Commandant at Kingston

[illegible] commandant at Kingston with a [illegible] the [illegible] of the two [illegible] with the others seem to have [illegible] war some of them being [illegible]

[illegible] what on [illegible] War and Mr [illegible] ry [illegible] at Kingston [illegible] escorted by [illegible] and [illegible] by [illegible] American [illegible] have [illegible] with [illegible] they are now [illegible]

[illegible]

From Lt.-Col. Bruyeres to Sir Geo. Prevost

[illegible] Niagara [illegible] days [illegible] the House [illegible] report [illegible] defence [illegible] Kingston [illegible] Niagara [illegible]

[illegible] but [illegible] the [illegible] the enemy [illegible] Niagara [illegible] time I

* As prisoners of war

Twenty-eight miles of this distance is accessible and favorable to disembark at any point from the opposite shore. I have arranged with [illegible] most material [illegible] mentioned.

[illegible]

Militia Orders

General [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

receipt and have been nothing but praise and commendations.

"By order

[illegible]

From Col. Wissmer to Sir Geo. Prevost

[illegible]

List of Tavern Licenses

[illegible]

"Account of the tavern licenses issued in the District of Niagara between the 5th Jany and 5th day of April 1813.

"April 5th

John Knox
Thomas Powis
James Bunting
John Smith
John Daley
William Wyon
Robert Waddle
Peter Welch
Paul Shipman
William Terryberry
John Emery
Mary McBride
Samuel Swayze
John Palmer
Edward Brady
James Henry
Charles Anderson
John Haley
William Vanderlip
Abraham Markle
Frederick Anchorn
Nathan I Fowler at £3 each,

Total amounting to sixty-six pounds Halifax

Isaac Swayze

Shop Licenses

John Young
Francis Crooks
John Dorman
John Grier
William Crooks
James Crooks
John Elbert
Daniel Shunck
Elijah Secord
Andrew Heron
John Baldwin."

(Dominion Archives. Sundries, U C 1813)

From Lt.-Col. John Warren to Major-General Shaw

A veteran [illegible] in the [illegible] who was also commissary at Fort [illegible] found it necessary to resign his commission and was succeeded [illegible] John Warren [illegible]

[illegible]

Sir

[illegible] the [illegible] food and [illegible] the last [illegible] the [illegible] requires [illegible] resignation of Lieutenant [illegible] may be accepted.

[illegible]

From Charles Askin to His Father

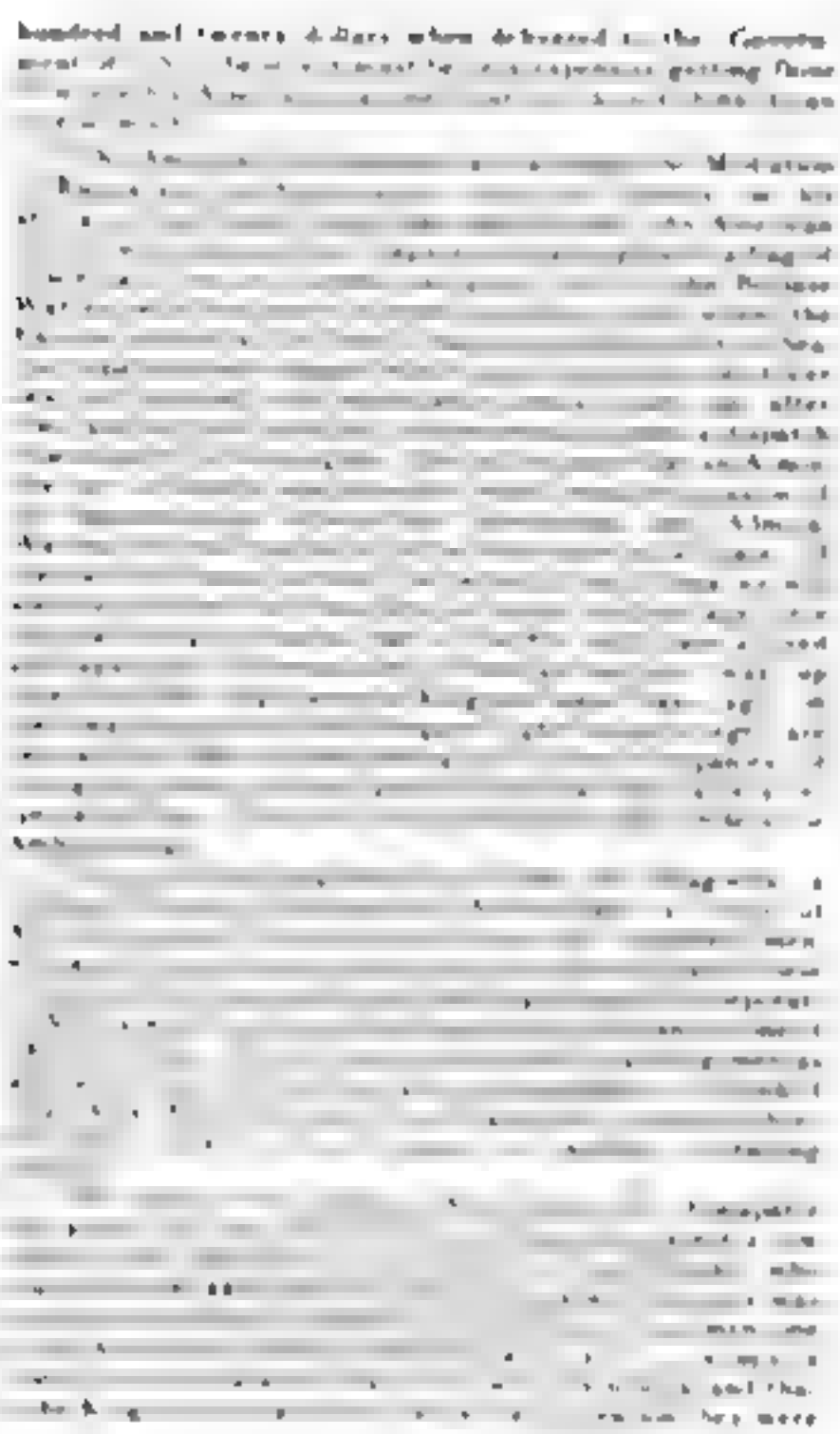
Charles Askin [illegible] father's [illegible] from Mountain [illegible]

[illegible] dollars [illegible]

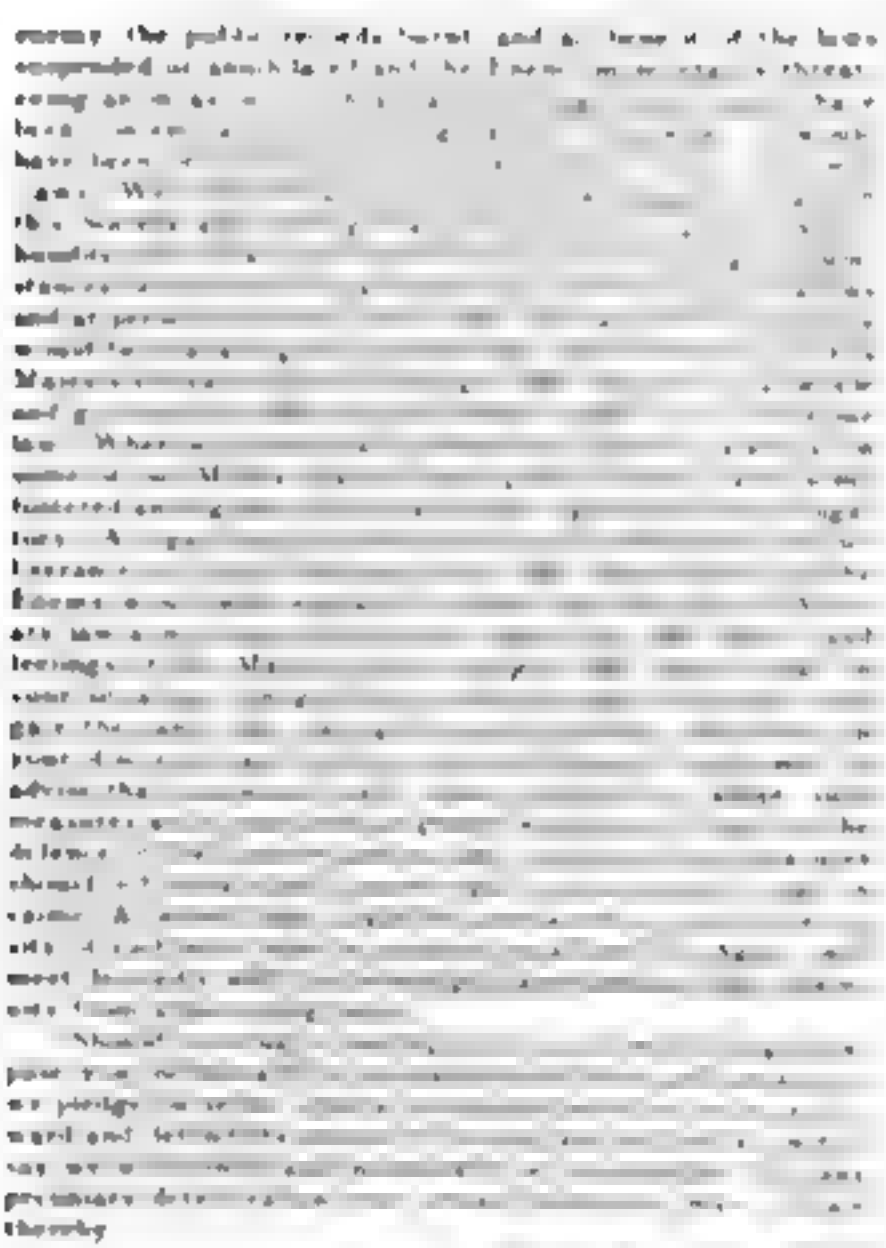
[illegible]

[illegible] between the [illegible] per [illegible] in a newspaper [illegible] says that every [illegible] cost one

[illegible] A [illegible] horse



Petition to General Vincent



A. Cameron
Robt Campbell
Amos Chapman
S. Street
T Cummings
T Clark
D Secord
George Turney
Robt Grant

"Niagara 8th May 1813."

From General Vincent to General Sheaffe

By that time the squadron, which had been employed in the expedition, which had taken York had crossed the lake and landed the troops on board at the Four Mile Creek in rear of Fort Niagara, where they were joined by another considerable force transported in boats from Oswego and were encamped in the woods out of sight. The next ten days were employed in making arrangements for an attack upon Fort George in conjunction with the ships of war which were sent to Sackett's Harbour to bring up reinforcements to make success certain by weight of numbers. The arrival of this fleet could not be concealed from observation and was immediately reported by General Vincent in a letter to General Sheaffe who was then at Kingston.

Fort George, 20th May 1813.

"Sir

"I have to inform you that seven vessels appeared on the lake about sunset last night and this morning we discovered at anchor two brigs and fifteen smaller vessels with each a large batteau.

"At daylight they were seen in the act of disembarking men.

"I have every reason to expect an immediate attack especially from a movement the enemy made yesterday, bringing a strong force from their left to the fort and the encampment in rear of it.

"At all events I do not think a moment should be lost in giving you the information of this portion of the enemy's fleet being at this quarter.

"I have made no change in the distribution of troops since my return to you of yesterday except that I have ordered the detachment with the six pounder at Chippawa to Queenston."

From the Governor-General to Vincent

Vincent had then received a letter from the governor-general informing him that Sir James Yeo and other officers with 450 seamen had arrived at the lakes and were on the way to Kingston.

"This much enables me to say that I hope enable us to regain the command of the lakes. I am also strengthening my position with additional troops and I shall be ready to meet whatever you may stand in need of. I have made known to me. Under such circumstances I may look upon a continuance of your present position as a temptation of the enemy upon us. I am therefore determined to risk gaining a footing on the [illegible]

From Prevost to Vincent

After writing in these terms from Montreal Sir George Prevost went forward to Kingston where he received Vincent's reply and wrote to him again:

Kingston 24th May 1813

"Sir

"I was early this morning made acquainted by the 19th inst. [illegible] and high spirited and manly [illegible] committed to your charge [illegible] regret cannot be [illegible] from the attempt [illegible] In ten days [illegible] an evidence of the [illegible] exertions have [illegible] preparations [illegible] is not clear [illegible] carrying [illegible] Royal [illegible] Smith are as well [illegible]

"You will [illegible] upon all [illegible] have to perform [illegible] to remove [illegible] with it, to the extent [illegible] the manly resources [illegible] placed at my disposal

* This letter is printed in the Documentary History 1813 pp 886-7

From Sir Geo. Prevost to Capt. Norton

Vincent had reported that Captain Norton "whose anxiety and zeal for the public service is so constantly conspicuous," was encamped on his left towards the lake with about one hundred Indians and Prevost wrote to Norton on the same day a private letter to stimulate his efforts

"Kingston 24th May 1813

"Sir

"It is with very great satisfaction that I have heard from different quarters the high commendations which have been passed upon your courage and activity since the commencement of the war with America I earnestly recommend to you a perseverance in the same noble example which you have hitherto afforded the brave warriors whom you have brought into the field and a continuance of your exertions to keep up and increase the numbers of a description of force so truly formidable to the enemy and so capable of sustaining the good cause in which we are engaged

"Accept my thanks for yourself and those whom you lead and the assurance that I will take every opportunity of making known your exertions in the cause of your Great Father to His Royal Highness the Prince Regent"

From Gen. Vincent to the Officer Commanding at Kingston

At the end of a destructive bombardment of his position and in anticipation of an immediate attack by an immensely superior force Vincent addressed a letter to the officer commanding at Kingston

Fort George 26th May 1813

"Sir

"I have to inform you for the information of the Commander of the Forces that the whole of Commodore Chauncey's fleet are at anchor off the American Four Mile Creek

"They commenced a cannonade on our fort at daylight this morning and I am sorry to state that every building in the fort is at this moment burnt down except the place that was formerly the magazine and the new casement The town has as yet escaped their fire but I expect to hear every moment that they have opened their guns against it

"I am fully convinced that it is the intention of the enemy to attempt making a landing this night or to-morrow morning on my right and left and I understand from a deserter who came over last night that the order was out for the attack to take place this morning and to have two days provisions

dressed for that purpose. I also understand from the same that the enemy's strength is to be between seven and eight thousand.

"I have therefore to hope that troops are on the way to my assistance.

Everything that is possible shall be done on the support of the garrison but I am overpowered. I shall take up a central situation and wait there for the support. I have every reason to expect it from Kingston.

I have at this moment received the Assistant Commissary of the 16th Regt and am much hurried. I have requested Colonel Myers to write him fully on the present situation of this post."[1]

From Sir Geo. Prevost to the Duke of York

A General Order of May 5 was published announcing Prevost's intention to hasten to the front by making a premature attack on Sackett's Harbor. His troops, which by means were made up and failed to gain complete success. Soon after his return to Kingston he wrote that a great had been made and made a report of the subject made to the Duke of York in the following manner on that

Head Quarters Kingston Canada 14 June 1813

"Sir

I had the honour to inform Your Royal Highness in my despatch of the 31st ult. of the arrival of the enemy's fleet at Niagara & of their having made a descent at that place & that we had retired from Fort George. I have now the honour to acquaint Your Royal Highness that the enemy's fleet after having made a demonstration of attacking our position at the mouth of the river Niagara, proceeded with a favourable breeze to the head of the Lake, where it anchored off the mouth of the Genesee River, about 40 miles to the Westward of Niagara. On the morning of the 1st inst. the enemy's fleet appeared off Sackett's Harbour, and commenced a heavy cannonade upon the Town & Fort, which was returned by a brisk fire from the Garrison & Batteries. The enemy's fleet consisted of 2 ships, 1 brig, 1 schooner & 1 sloop, and the force of troops on board is estimated at 3000 men. The action continued from 8 o'clock in the morning until 4 in the afternoon, when the enemy's fleet stood off the harbour, and anchored about 7 miles to the Eastward. The loss sustained by the troops under the command of Major General Brown, in the action of the 31st ult. and 1st inst. is stated in the returns to be 115 killed, 306 wounded, and 55 missing. The loss sustained by the squadron under the command of Commodore Chauncey, in the action of the 1st inst. is stated to be 26 killed, and 57 wounded. The loss sustained by the troops under the command of Major General Sir George Prevost, in the action of the 27th ult. is stated in the returns to be 16 killed, 222 wounded, and 2 missing. The loss sustained by the squadron under the command of Captain Sir James Lucas Yeo, in the action of the 27th ult. is stated to be 14 killed, and 34 wounded. The loss sustained by the troops under the command of Major General Sir George Prevost, in the action of the 1st inst. is stated in the returns to be 16 killed, 222 wounded, and 2 missing. The loss sustained by the squadron under the command of Captain Sir James Lucas Yeo, in the action of the 1st inst. is stated to be 14 killed, and 34 wounded.

[1] This letter is printed in the Documentary History, 1813 (Commissary Department) beginning May 26 to 27th.

had been rendered at least for a time a useless acquisition to

Extracts from the Quebec Gazette

After a full hour's halt we deliberately and proudly fell back upon Queenston, where being joined by the detachments at Chippawa and Fort Erie under [illegible] Bishop we marched upon this position. The movements of the troops were performed with the [illegible]ness and precision of a parade. The Militia behaved most gallantly and have by their subsequent conduct evinced [illegible] the strongest manner that if there are some bad subjects among us that there exist a preponderating majority [illegible] ready to sacrifice their property & their country's cause. The best spirit and confidence in ultimate success prevails. The enemy have spread a report of an intention of what he calls interrupting us. If he attempts it here he will perhaps catch a Tartar. If Sheaffe [illegible] I said him nothing against our bayonets."

From Gen. Vincent to the Adjutant-General

On June 4 Captain Robert McDouall, an aide de camp to the Governor General arrived from Kingston at General Vincent's headquarters at Burlington Heights with instructions for him that [illegible] was [illegible] forward Kingston to detach a [illegible] of the regular troops to reinforce General [illegible] at that [illegible] later in the day he received a report from his outposts which induced him to believe that an attack would be made upon his position and in a hasty letter to the adjutant general he remarked: "As circumstances are at present I am determined if possible [illegible] beforehand with them."

Prevost's Reply

This letter was received at Kingston three days later and Prevost promptly encouraged him to take the offensive.

Kingston 7th June 1813

Sir

"I am glad that the present [illegible] near your present position with the arrival of [illegible] and such supplies as could be procured here will have had the best effect. I recommend your taking immediate measures for harassing the enemy [illegible] supported by Light Infantry and [illegible] depriving them of the opportunity of exhausting [illegible] which you have enabled to occupy.

"I send Lieut. Col. Plenderleath as an officer well qualified for the execution of such a service. He is accompanied by 250 Indians who are supernumerary to detachments from this garrison. You must organize a corps for this service and the

sooner you bring forward the warriors the less disposition will be manifested by them for returning to their villages

As soon as Sir James Yeo returns I will make arrangements for the transfer of the 2nd Battn 41st Regt and additional guns and ammunition

After the gallant operations of the navy and the unremitting exertions of Captain Mulcaster in obtaining complete command of the Lake I have had the satisfaction to find that the naval stores the sails and rigging of the new ships were destroyed in the conflagration This circumstance will cause a delay in the preparations for increasing the American force

[1231 p 197]

From Provost to the Duke of York

Before the letter was written Vincent had begun his offensive against the enemy's encampment at Stoney Creek [illegible] His success opened them that they began a [illegible] ing This was accelerated by the appearance of Yeo's squadron on the lake on their flank [illegible] these events in an official letter to the Duke of York

"Head Quarters Kingston Upper Canada 15th June 1813.

"Sir

[illegible] Your Royal Highness [illegible] attack made by division [illegible] advanced camp [illegible] and enter [illegible] part ulars of [illegible] I have the hon [illegible] [illegible] ge [illegible] was [illegible] [illegible] to take up a [illegible] [illegible] enemy hav [illegible] [illegible] consisting of [illegible] artillery cov [illegible] [illegible] [illegible] ion [illegible] [illegible] them by [illegible] [illegible] instant This was [illegible] [illegible] [illegible] [illegible] instant

* See Documentary History of the Campaign on the Niagara Frontier in 1813 Part II pp 130

the detachments from the 6th & 4?th Regiments, consisting of 7?? men under the command of [illegible] Harvey, the [illegible] from [illegible] and [illegible] [illegible] where they were [illegible] having evacuated Fort [illegible]

[illegible]

Extracts from the Richmond Enquirer

The [illegible] Enquirer of 23rd June and [illegible] 1813 [illegible] officers in the United States army [illegible] an opposite point of view.

"[illegible] June [illegible] 1813

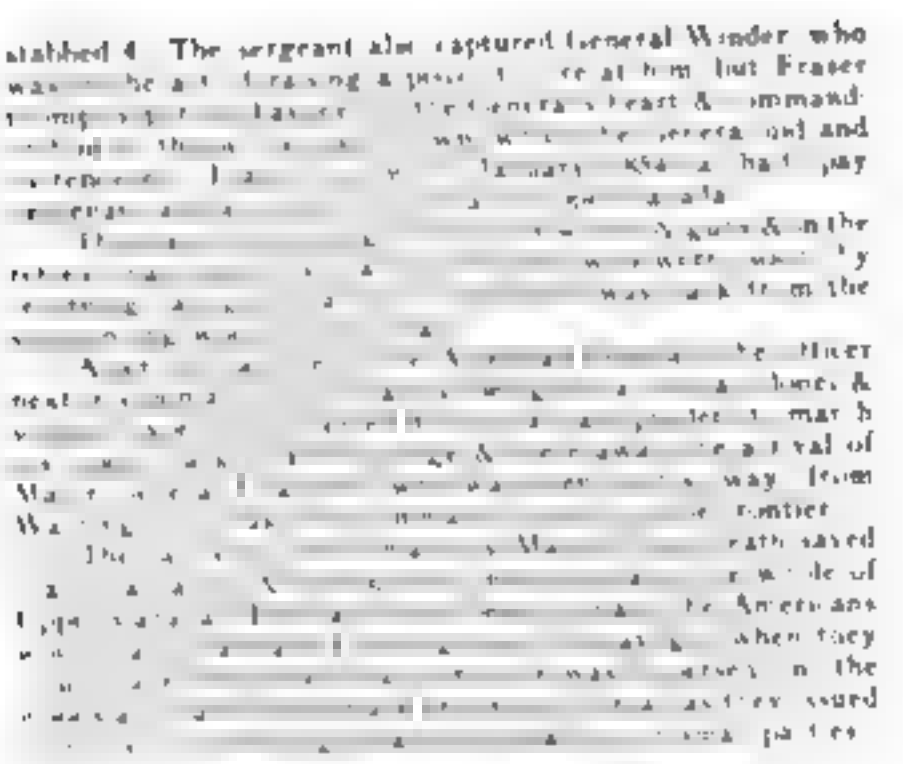
[illegible] morning [illegible] night before [illegible]

[illegible] advanced [illegible] was allowed to be [illegible] some officers and men [illegible] hoped [illegible] intending to [illegible] alarmed by hearing [illegible] a sentry who had been run through [illegible] were seized and fired against the troops.

"The regiments in the centre and rear never got to the

From a Captain in the 30th U.S. Infantry

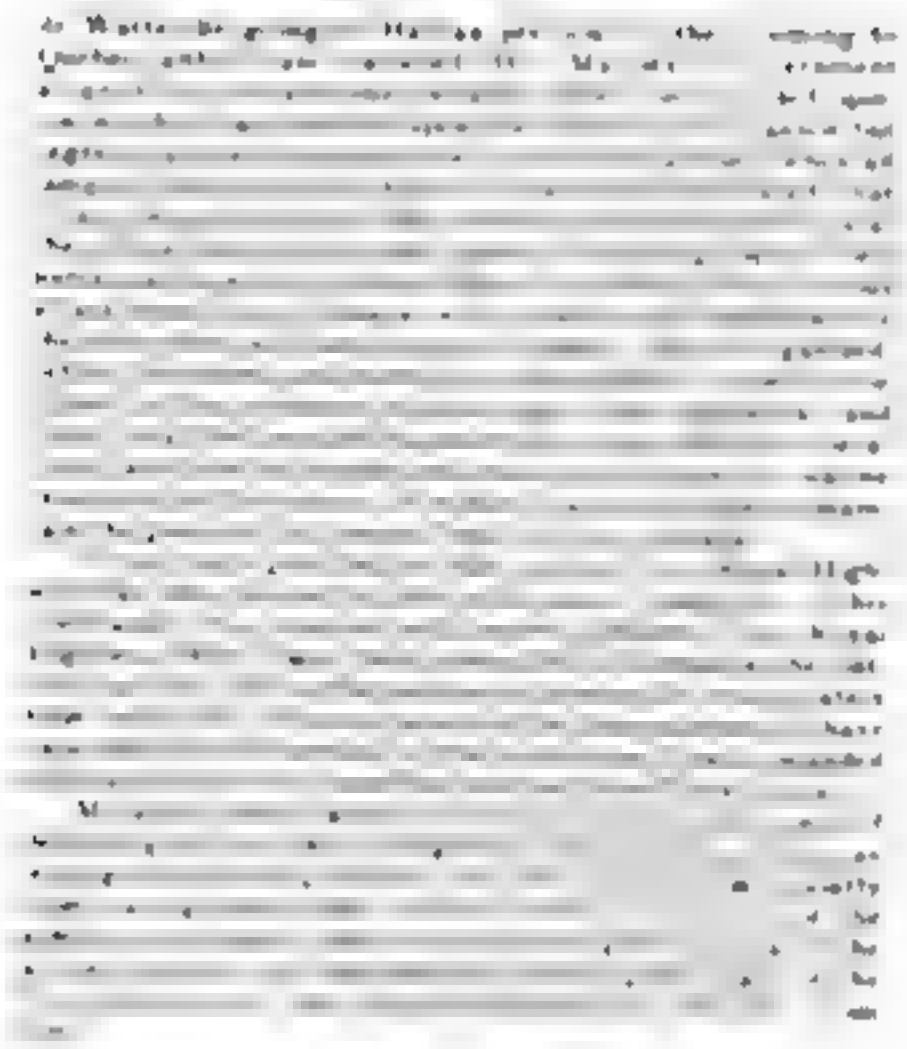
stabbed 4 The sergeant also captured General Wonder who



From Provost to Vincent

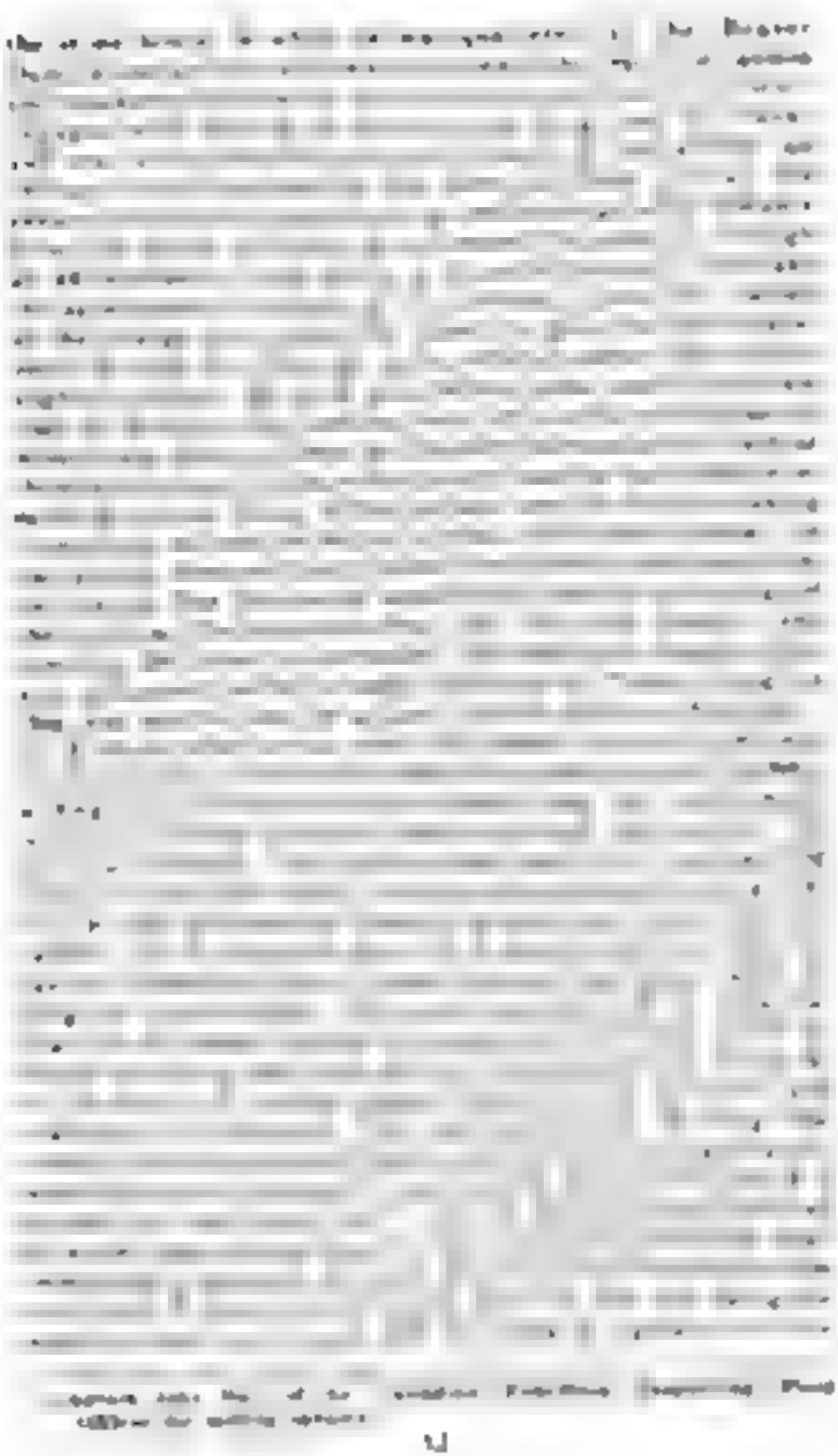
4 [illegible] Part I p. 4

Supervision of Control Shuttle



Continuous Gun Firing

Extracts from The Quebec Gazette



Extract from The Niagara Chronicle

From Colonel Harvey to Captain Kerr

to the Duke of York Commander in Chief of the Army in which he enclosed letters from Brigadier Major Evans and Colonel Claus supporting it which are printed in Volume VI of the Documentary History pages [illegible] He had written at the same time to [illegible] Harvey then acting as Adjutant General in Canada who gave him [illegible]

[illegible]

4 April 1808

Dear Sir

"I fear I [illegible] making any representation with any prospect [illegible] your letter [illegible] Your Majesty's Ministers [illegible] judgement on [illegible] through the [illegible] These [illegible] have given [illegible] & you [illegible] which [illegible] might be urged [illegible] given to another [illegible] representation at the time when [illegible] gated by [illegible] however [illegible] England is [illegible] the [illegible] mand at [illegible] intention- [illegible] all interest and [illegible] and in whom I am persuaded [illegible] to do all that may be [illegible] and zeal and [illegible] and particularly [illegible] which they merit [illegible] make whatever use of this Letter you may think proper and believe me Dear Sir to be &c

J Harvey

"Captain W J Kerr
[illegible] Indian Department"

From Kerr to Earl Bathurst

Kerr's application was [illegible] Seven years later he prepared a second memorial stating his case in different terms addressed to Earl Bathurst who had been Colonial Secretary since 1812

"Your Lordship's Memorialist was at the capture of Fort Niagara, Lewistown, Fort Schlosser, Black Rock and Buffalo

on the Enemy's Shores was [illegible] in the battle [illegible] Chippawa under Major General [illegible] Memorial [illegible] was made [illegible] as follows:

[illegible] and [illegible] was [illegible] Claus [illegible] taken [illegible] and [illegible] very mat[illegible]

"[illegible] the Letters [illegible] degree of the above [illegible] He would have [illegible] more satisfactory [illegible] consideration.

"[illegible] to take his case [illegible] him for a pension [illegible] back [illegible] the period [illegible] on the 24th day [illegible] December [illegible] compensation as to Your [illegible] as [illegible] bound will ever pray.

William J. Kerr

[illegible] Indian Department

"B[illegible] Bay

Upper Canada

[illegible] October 1825"

This memorial was [illegible] as Deputy Superintendent [illegible] Indian Affairs [illegible] Niagara [illegible] for transmission [illegible]

Certificate from Claus

Besides [illegible] Major [illegible] Fitz-Gibbon [illegible] at the anniversary [illegible] Beaver Dams [illegible]

[illegible] U. Canada

24 June 18[illegible]

"I do hereby certify that Wm. J. Kerr, Esquire, late Captain in the Indian Department, commanded a party of the

Western Indians and Six Indian Nations in an action with the Enemy commanded by Lt Colonel Butler on the 24th day of June, 1813, near de Cou's Beaver dam when the whole of the American force were captured with five pieces of ordnance Trumbrils, &ca None were engaged with the Enemy that day but the above Indians and about 180 of the 7 Nations from the Province of Lower Canada

"W Claus, Dy Supt General"

In his letter forwarding these papers Claus considered it necessary to point out an error in the memorial

"Fort George
19th December 1825

"Sir,

"I have the honor to transmit herewith a letter from Mr William J Kerr addressed to me and dated the 12 of inst. covering several documents which he requests that I will transmit to His Excellency Major General Sir Peregrine Maitland K C B

"I feel it my duty to correct a statement made in Mr Kerr's memorial that he was appointed by the late Major General Brock he was appointed at my request by the late Colonel Myers, who then commanded on the frontier in the absence of Major General Sir Isaac Brock who was then at Detroit I have no doubt but Mr Kerr believes the appointment was made as he states

I have the honor to be &c

W Claus Dy Supt General
Indian Affairs

"Major Hillier
Secretary to His Excellency
Major General Sir P Maitland"

The memorial then forwarded differed considerably from former statements and boldly claimed the entire credit of defeating the enemy and forcing them to surrender The Lieutenant-Governor made no recommendation

From Maitland to Earl Bathurst

"Upper Canada
York 15th December 1825

"No 204
Miscellaneous.

"My Lord.

At the request of Mr W Jarvis Kerr formerly a Captain in the Indian Department but at his Prosent I have the

[illegible] to forward to Your Lordship his memorial praying for half pay [illegible] on account of [illegible] services in the [illegible] capacity during the late War. This memorial [illegible] accompanied by several [illegible] [illegible] and [illegible] from the head of the Indian Department in [illegible] Province.

[illegible]

[illegible] Maitland

The

[illegible]

&c. &c. &c.

"To the Right Honorable Earl Bathurst, Secretary of State [illegible] &c. &c. &c.

The Memorial of [illegible] Esquire, of the [illegible] Upper Canada and late a [illegible] Indian Department

[illegible]

That [illegible] Captain [illegible] the late War [illegible] America [illegible] and served under the [illegible] Brock [illegible] Major [illegible] Major General [illegible] Indian Department and was [illegible] Frontier.

That [illegible] command about [illegible] Indian Warriors [illegible] of June 1813 and [illegible] under the [illegible] were [illegible] Army [illegible] baggage wagons [illegible] Army [illegible] there was [illegible] regular [illegible] man [illegible] Indian Department under his Command [illegible] from the [illegible] at the time [illegible] commanded a small detachment of the 49th Regiment consisting of

Letter from James FitzGibbon

From Sir George Provost to James FitzGibbon

Memorandum by Lieut.-Colonel John Harvey

"I must [illegible] was permitted to greet the Men for this service and [illegible] the [illegible] evidenced in the Service [illegible] Harvey and it wards [illegible] was in vain.

[illegible] was a more gratifying as a Partner [illegible] every respect [illegible] was aimed.

J Harvey
[illegible] D.A.G.

Kingston [illegible]
[illegible] 1814

From [illegible] Memorials to [illegible] June 1812

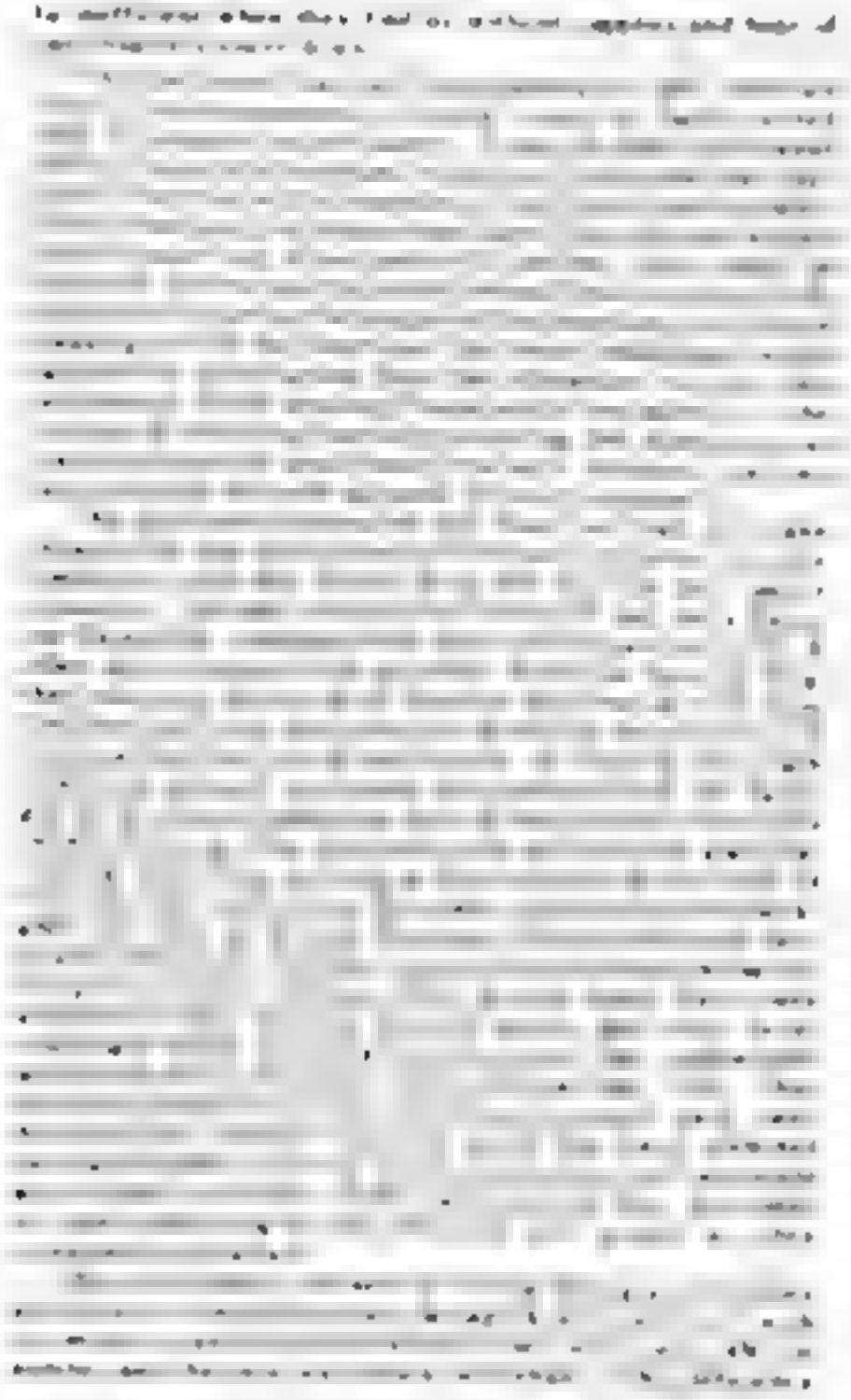
The war [illegible] Vincent [illegible] was [illegible] as [illegible] resources of [illegible] Amherst. Acting [illegible] addresses he [illegible] published a [illegible] immediat [illegible] the army [illegible] apprehending all [illegible] expedient."

From J. C. Herries to George Harrison

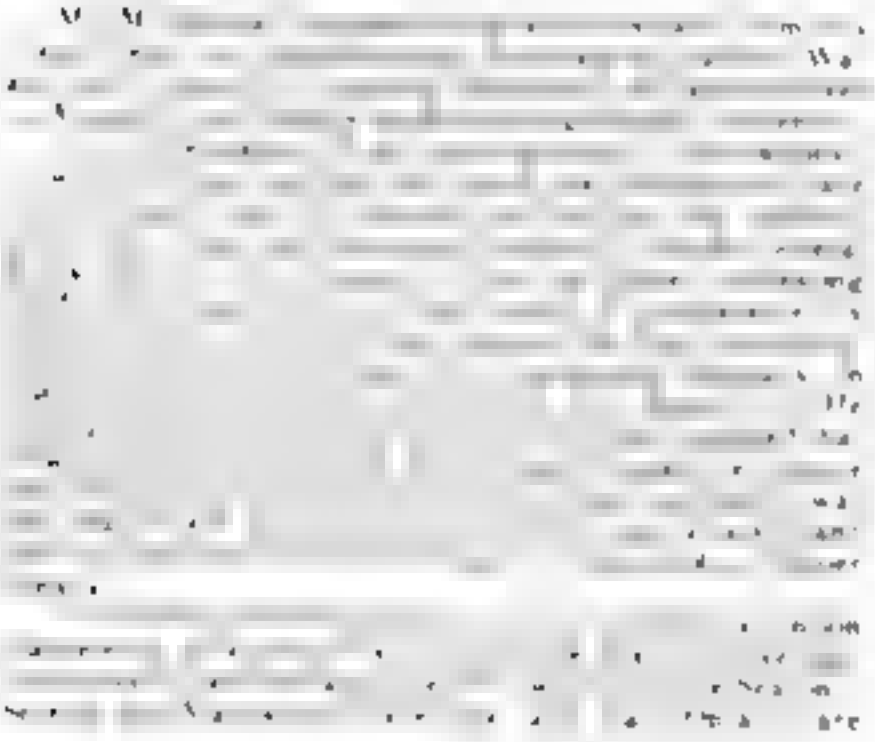
The [illegible] naval supplies [illegible] a York and [illegible] extremely [illegible] [illegible] shipping [illegible] shown in a letter [illegible] George [illegible]

I have [illegible] mation of the [illegible] Mr [illegible] Army under [illegible] and has taken up [illegible] [illegible] George Mr Crook [illegible] at that place had fallen into the Enemys hands

From Hon. John Richardson to Simon McGillivray



From McGillivray to the Secretary of State



particularly and unfortunate request of Upper Canada is to be defended and the former at that remote as it is [illegible] necessary [illegible] the country and the honour of the Crown that a [illegible] exertion [illegible] the enemy [illegible] the same [illegible]

[illegible] Atlantic [illegible] Navy [illegible] the enemy [illegible]

[illegible] have [illegible] America [illegible] Province [illegible] much effect [illegible]

Lieut.-Colonel Cecil Blackiston

[illegible] the [illegible] the [illegible] the [illegible] force [illegible] the [illegible] informed [illegible]

FitzGibbon's Statement

From Major Fulton to Sir George Provost

From Thomas Dickson to Edward Hutchinson

From Chief Justice Scott to General de Rottenburg

T[illegible] the [illegible] proceedings Chief Justice Thomas Scott [illegible] and to advise [illegible] This was given [illegible] Rottenburg.

York, [illegible] 1813

Sir,

[illegible]

[illegible]

[illegible] the lands [illegible]

[illegible] 1813

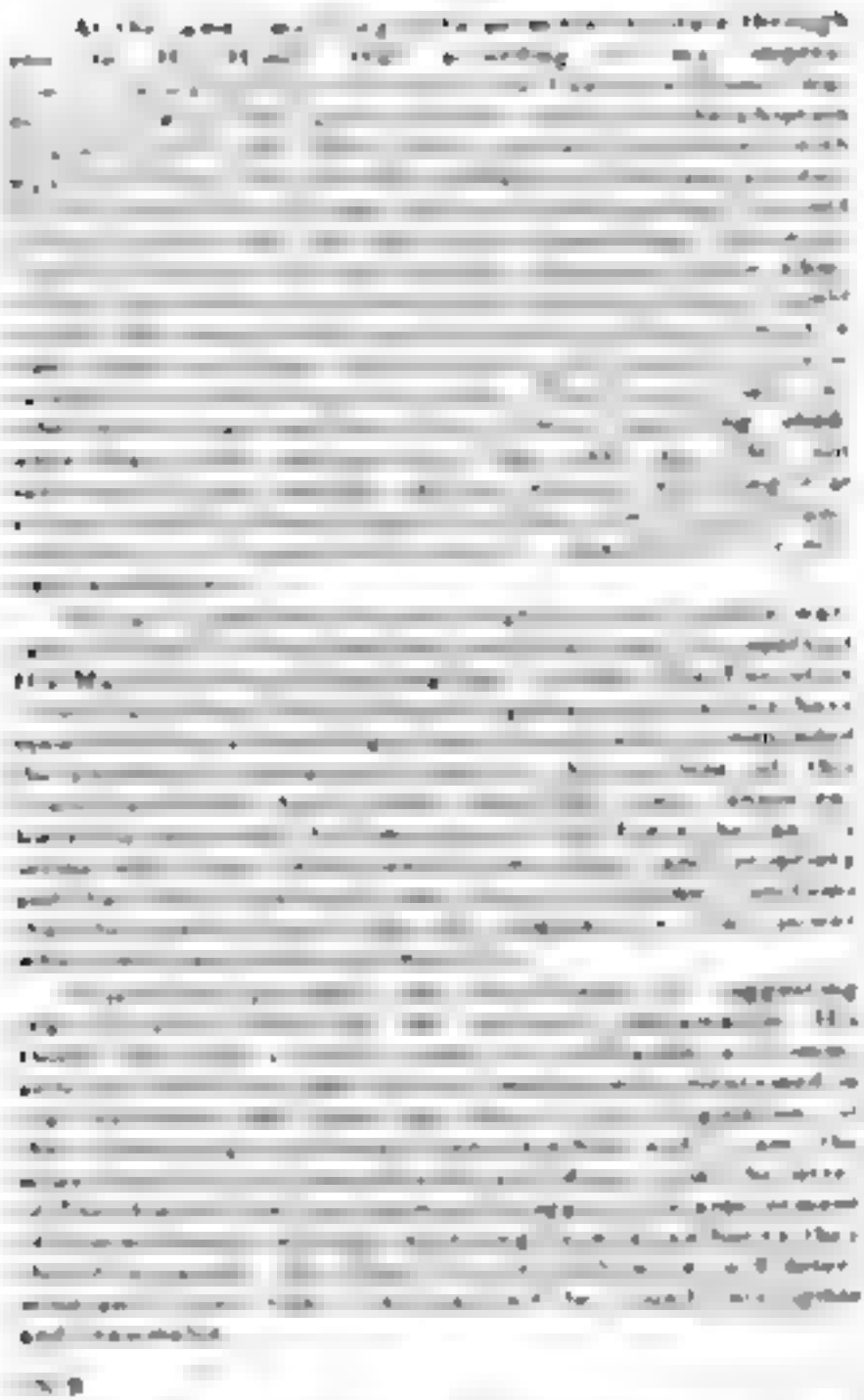
From John B. Robinson to Edward MacMahon

A letter [illegible] general [illegible]

York, [illegible] 1813

Sir,

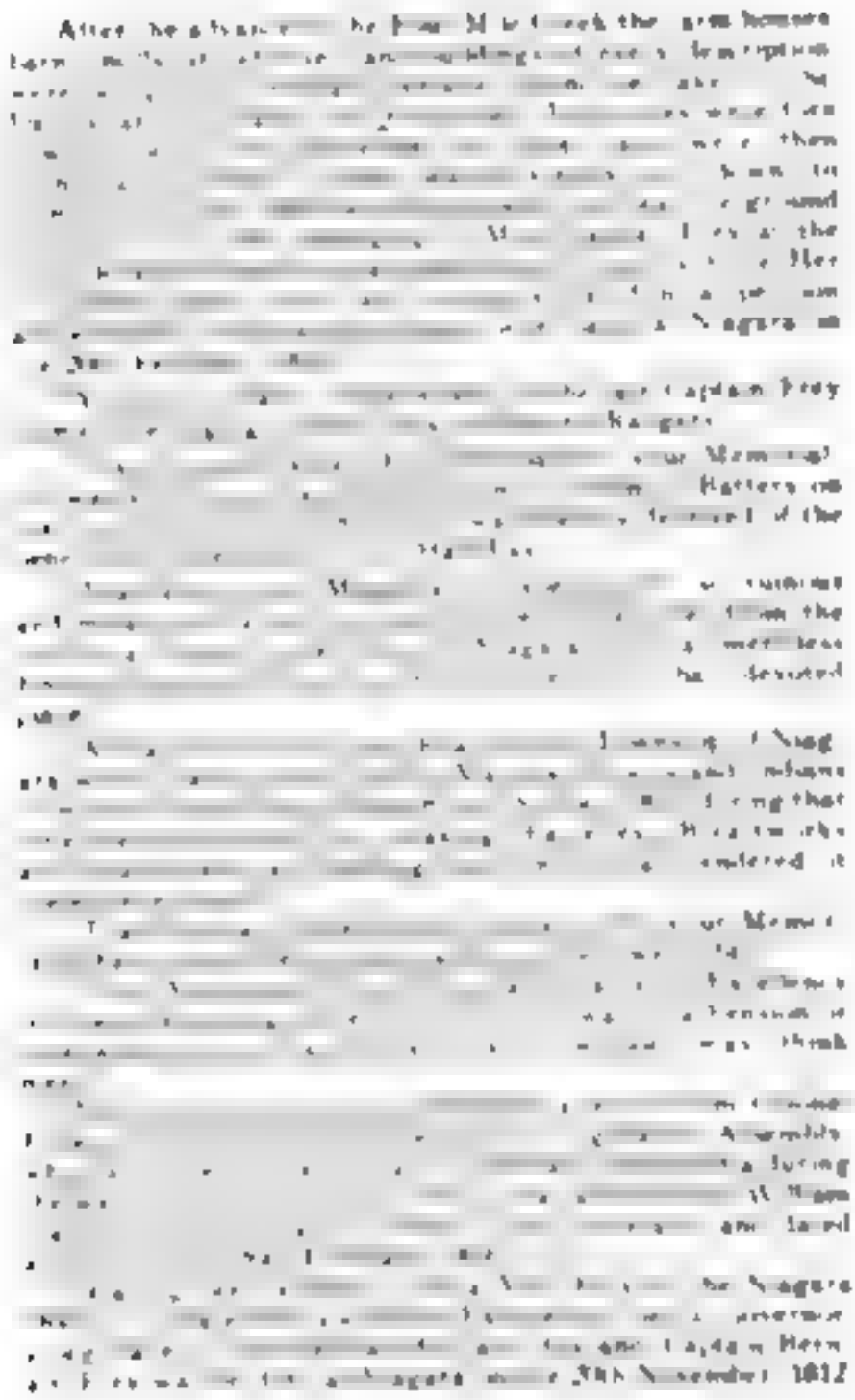
[illegible]



From Provost to de Rothenburg

From Richard Gaudry on the Board of Claims

From Mrs. Hannah Frey to Lieut.-Gov. Gore

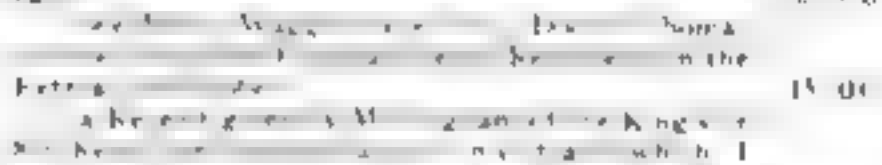


Losses Sustained by George Adams

£15 11 0

17 0 0

15 0 0



1 5 0

£48 5 0

After the second retreat of the army in October 1813, his known loyalty and the fact that he was an officer in the militia and a magistrate was considered a sufficient pretext for raiding his house and carrying him away as a prisoner of war ... a second raid ... distillery was destroyed.

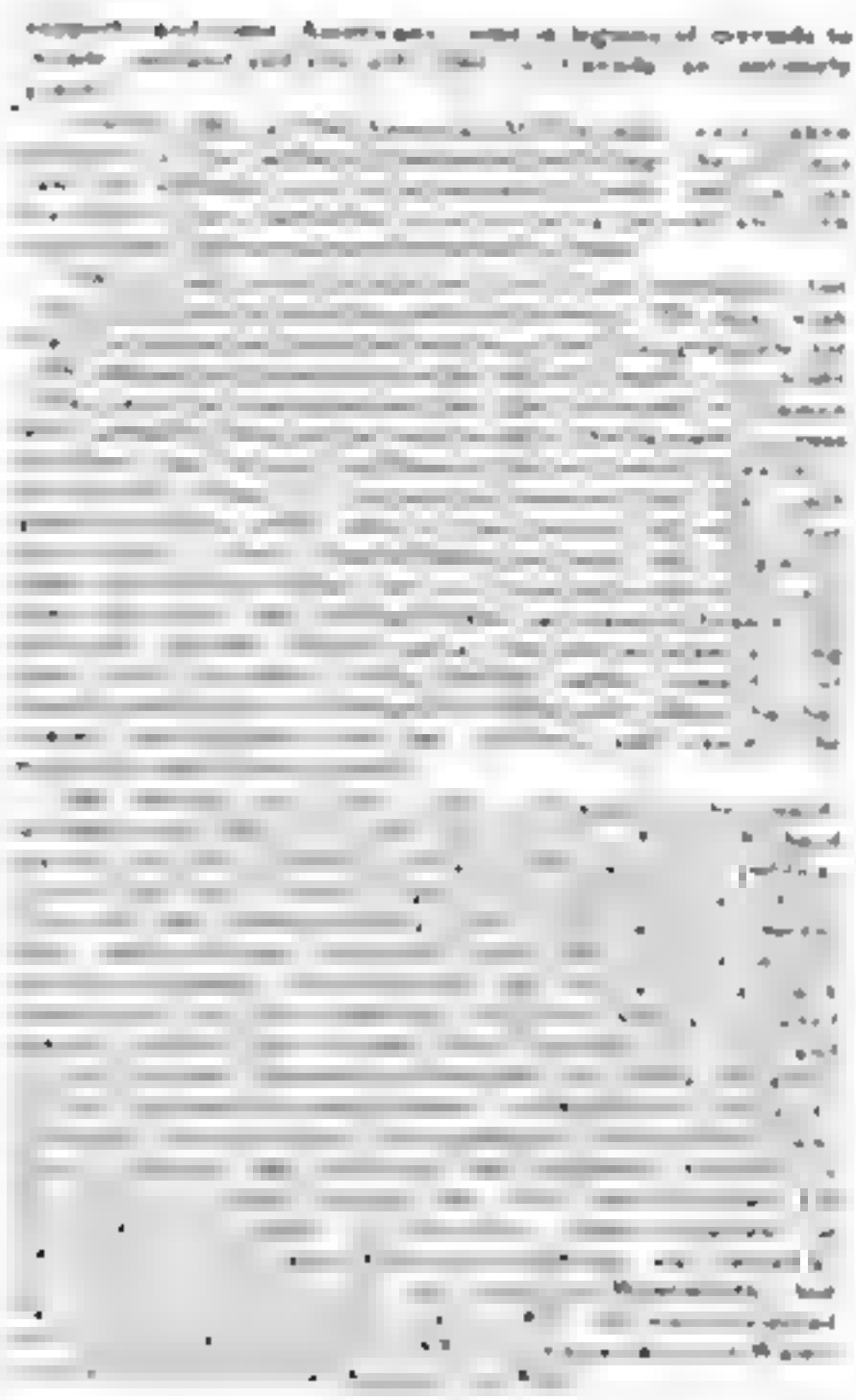
"Statement of damages sustained by a Party of the American Army under the Command of General Porter and Colo Hopkins to Geo Adams of the Township of Grantham in the month of October 1813

"two Dispatch Horses which had just come off Duty From Major General Vincent Taken by General Porter upon the 11th October 1813	£ 50.0.0
"two Saddles and Bridles Ditto	10.0.0
A Large Distillery with three Copper Stills, &c., Burned and Destroyed by a Party of the American Army under Command of Co. Hopkins on the Night of the 19th. October, 1813	250.0.0
"this Distillery was situate in the village of Saint Catharines in the Township of Grantham and was occupied as a Bakehouse for the use of his Majesty's troops from the time of Genl Vincent's advance from Stony Creek until the Retreat from the Cross Roads in October	
"Halifax Cy	£310.0.0

ADDENDA

[illegible]

and Light Infantry of the 61st and [illegible] of the Malta



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"Ducit Amor Patriae"

NIAGARA HISTORICAL SOCIETY

Niagara-on-the-Lake
Ontario

No. 44

RECORDS OF NIAGARA

A Collection of Contemporary
Letters and Documents

January to July
1813

Collected and Edited by
BRIG.-GENERAL E. A. CRUIKSHANK

LIBRARY
MAY 22 1940
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Published by the
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LIEUT COLONEL CECIL BISSHOPP

See Page 70

PRINTED FOR
THE NIAGARA HISTORICAL SOCIETY
BY
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ONTARIO

EDITOR'S NOTE

The documents printed, nearly all for the first time in the following publication, like those in its immediate predecessors, have been collected from several widely separated sources. A few have been transcribed from rare contemporary newspapers. They will be found, it is hoped, to throw considerable interesting light on local history.

RECORDS OF NIAGARA
No. 44

1813

From General Sheaffe to Sir George Prevost

A letter from General Sheaffe to Sir George Prevost, written at Fort George on January 6th, throws considerable light on his situation at that time when winter had put an end to active operations.

"I have received this day a communication from Dy Commissary Genl Cowle[1] in which I have the honor of transmitting a copy.[2] The issues of Provisions have considerably diminished in this District and will remain some time much below their late amount. At York and Kingston they will continue to be at least as great as they have for some time been owing to the increase of the Marine establishment at those Posts. At Amherstburgh it appears probable that the consumption will be increased during the Winter as many sources of supply that the latter season furnished to the Indians will no longer exist. The several Corps and Departments in this Province have been compelled to apply to the Commissariat for pecuniary aid, it not being able to obtain money from any other source.

"As the pay of the Militia and other Provincial expenses have been furnished by the Commissariat and it probably not being regular that such monies should be finally accounted for through that Department it may be necessary to establish some mode whereby the Province should be made accountable for them through its proper officer the Receiver General. I request your Excellency's advice and instructions on this Head, as it appears to be of importance that a plan to regulate such matters should be speedily adopted, for the simplifying and facilitating the settlement of the public accounts.

"I propose setting out for York in the course of a few days, the passage of the River [illegible] impracticable[3] and likely to remain [illegible]

[illegible] Battalions

[1] See also Documentary History 1812 Part II p 334

[2] The Niagara River for an invasion.

might be formed in this Province, if encouragement were given by a promise of land &c. A proposition has been made to me by a Major of Militia,[1] to raise a Corps of 2 or 300 men in York and its vicinity, and increase it by inlistments elsewhere to 5, or 600. not to serve out of the Province but in such cases as it may legally be required of the Militia. I beg leave to submit this subject to your Excellency's consideration with the hopes of being honoured with an early intimation of your opinion thereon, and of the principles on which you would recommend and approve of the formation of such a Corps. It is thought by some that the inlistment of a Milit a man is prohibited by the 23rd Article of the Militia Act passed the 5th of last August, but such a construction appears to me to be controvertible."

"I shall not urge the necessity of a considerable reinforcement to this province, as it must be sufficiently obvious to Your Excellency that it will be required to resist the augmented force which the enemy will probably direct against us and to aid in protecting our dockyards from the early attempt which will no doubt be made on them to defeat our efforts for establishing a naval superiority."

(Dominion Archives, C 117, pp. 1-5)

Prevost's Reply

The inevitable delay in the transmission of most important letters in the winter is shown by Prevost's reply, written at Quebec on January 21.

"The Montreal mail which arrived this morning brought me your letter of the 6th inst. and its enclosures. The attention of the Commissary General has been called to the papers relating to the provisions and he will give such directions as may be expedient to his deputy in Upper Canada as to the means to be adopted by him in procuring the supplies to meet your wants in this respect.

"The Military Secretary's letter of the 3rd inst. will have conveyed to you my ideas on the subject of militia disbursements & the propriety of an appointment of a Dy. Paymaster. This communication will probably have reached you at York where you might be enabled to supply that officer.

"I presume your removal from your Dist. Hd. Quarters to York is with an expectation your presence at the seat of government would accelerate the accomplishment of the civil concerns of your command. I sincerely hope you may not experience disappointment but be enabled by the good disposition of your Legislature speedily to return to your post with

[1] Major Titus Geer Simons of the 2nd York.

additional means of repelling the designs of the enemy against Upper Canada I consider the suggestion for raising two or three battalions in the province of Upper Canada with encouragement of the promise of lands which might be recommended by you to the Secretary of State to be confirmed by H R H the Prince Regent, to such as engage under those expectations as a judicious measure These corps would be literally incorporated militia serving under the militia laws & not to serve out of the province except as provided for by that act As an inducement to promote the formation of such corps the Legislature would no doubt accede to a certain sum being allowed each man as an outfit to provide some articles of necessaries not to exceed £5 currency It has been proposed that a sum not exceeding £3 shall be given in this province for the outfit of each militiaman required for service in the next summer It is very desirable that the corps should not be encumbered with field officers from the militia but that intelligent and active captains from the line possessing discretion and skill should fill these situations I am aware the execution of such a plan may be attended with great difficulties notwithstanding the incontrovertible benefit arising from it to the service, therefore I only suggest the measure trusting to your judgment for the execution of the whole or part of it according to the disposition of the people you have to deal with

"My last communication will have made you acquainted with the extent of the reinforcement I can send you consistent with the safety of other parts of my command I trust that with this wise addition of a well organized militia and the assistance of the Indians you will feel yourself enabled to maintain all your positions from Cornwall to Detroit and Michilimackinac and to bring a second campaign to as honorable a termination as your conduct the first I really assure you that if His Majesty's Government increase my means of defending the North American Provinces in the spring I will send you a further reinforcement whatever arrives Since the winter roads have become practicable an interesting trade has taken place in forwarding to Upper Canada supplies of every description for land and lake service"

Dominion Archives C 1220 pp 118-9

From Col. Claus to Sir John Johnson

A letter from Colonel William Claus to Sir John Johnson Superintendent General of Indian Affairs shows that there was considerable friction between officials of that department and military officers which could not fail to be detrimental

Fort George 7th Jany. 1813

"Dear Sir

The enclosed letters, one from Mr. [illegible] of the 9th of Dec. [illegible] one from Colonel Elliott [illegible] dated 17th Nov. & Col. Elliott's [illegible] of the 30th Dec. last ought to have been sent earlier [illegible] as I am [illegible] to get [illegible]. As you [illegible] letter [illegible] that he has been [illegible] that was promised [illegible] been constantly [illegible] to say that [illegible] as our Dept. is, we are [illegible] and whims of every subaltern [illegible]. His long service & age did not screen [illegible] very properly treated [illegible]. It was [illegible] expedition to the Miami [illegible] ordering the Indians [illegible] & [illegible] that the Indians were [illegible] & because [illegible] damned useless people. It is [illegible] that Sir George Prevost would place us upon [illegible] or the power of every [illegible] all officers in the service [illegible] to prevent us being [illegible]. You will perceive by [illegible] letter that [illegible] representations against the [illegible] on the [illegible] Wayne expedition [illegible] Gen. Sheaffe tells [illegible] nothing has [illegible] anything have been said below. [illegible] would be urged by you to have a [illegible] right & the [illegible] not [illegible] even [illegible] Canada to take [illegible] them [illegible] their promises [illegible] had [illegible] & [illegible] the Western Indians [illegible] war against the Americans [illegible] and Indian Nations & that [illegible] hereafter be remembered [illegible]

"I am so badly [illegible] that I cannot have a fair copy made of the enclosed letters [illegible] paper I now write on

is beg'd from Mr Powell my neighbor a little remaining of his stock & the pen I get this day from Capt Loring We have not received any statistics for these last five years We have a very unhealthy season a complaint prevails that carries off the patients in a few hours I am sorry to tell you that poor Charlotta died last night a loss I shall much feel I was going to send an account to St Josephs Our stores are all but empty pray send us something you can We look and hope for a string for on the spring & have nothing to give No doubt but an attack & that a very formidable one will be made on this attack & that a very formidable one will be made on this frontier next spring I would wish very much that you would interest yourself to get me a Lt Col but who is the worst paid man in the two Provinces He has but £100 a year for his services I would not accept it would save his half-pay, £200 will be necessary for my accepting of the appointment

"My papers as well as everything else are in such a confused state that I can scarcely lay my hand on any letter & I do not know whether I have wrote you since the affair of the 28th August Our first appearance of the enemy moving I sent Major Givins Dr Chew & three interpreters with a number of Gd Indians & Chippewas to post themselves near Fort Erie & Capt Kerr with some more of the Gd Indians & Chippewas to be ready to act [illegible] the right or the left as circumstances Major Givins Indians who were encamped about 6 miles below Fort Erie were in time to act & to get [illegible] & surrounded yet They kept up a very warm fire on the boats & must have done great execution as they put the water in [illegible] & took deliberate aim every shot In [illegible] Lieut Colonel of the Arty was severely wounded [illegible] He was shot down at his 6 pounder & [illegible] but this hand I have been [illegible] My last visit was [illegible] at Lundy to see likely to do well & [illegible] all over [illegible] tables are lady off for every [illegible] We have lost several valuable Indians in the [illegible] a kind of plentry a violent [illegible]

"With sentiments of esteem & regard I am Dr Sir,

"Yours most faithfully,

"W Claus"

"The Hon
"Sir John Johnson, Bart

(Claus Papers Copy by Miss Catherine Claus)

From Commodore Chauncey to Sir John Johnson

After having laid up his ships on Lake Ontario for the winter in Sackett's Harbour and provided for their defence, Commodore Chauncey went to Buffalo to arrange for the construction of ships of War on Lake Erie. A small shipyard had been constructed at the mouth of a creek flowing into the Niagara River below Black Rock, where several merchant schooners were being converted into gunboats. From Black Rock he wrote a letter to the Secretary of the Navy on the 25th December, 1812

"This frontier is left with less protection than its importance requires. From this place to Lewiston a distance of about 24 miles there is but a single sentinel. There is about 900 of the 14 Reg stationed at this place the rest of the army have gone into winter quarters 11 miles back from the river,[1] therefore if the enemy should think proper to cross spike all the guns, and destroy all our stores there is but little to prevent them. I am erecting a Block House near the vessels with a view to their protection and the stores belonging to the Navy Department which I hope to preserve. Notwithstanding we are assured by the Military the people upon this frontier place so much more reliance upon the protection afforded to them by the seamen than the Military that if any circumstances should make it necessary to remove the seamen this part of the frontier would be immediately deserted."

(Captains Letters, Navy Department MSS Washington)

From Commodore Chauncey to General Sheaffe

He wrote on the same day to Sheaffe apologizing for the misconduct of some of his seamen in the recent incursion and proposing an exchange of prisoners.

"Upon my arrival at this place," he said, "I was mortified to learn that a party of Green Coats had crossed the River on the 28th ulto and burnt two houses the property of individuals. This act I assure you Sir was done without the knowledge of the Naval Officers then commanding on this Station and the men have been made sensible of the impropriety of their conduct.

"I will also assure you that as far as in my power to prevent no similar act shall be repeated by the men under my Command.

---

[1] At Williamsville.

"I understand that these Seamen were taken on the morning of the 28th ulto in company with some Soldiers, and are now Prisoners at Fort George I trust, Sir, that you will not hesitate to let these men return, when I assure you that I hold Colonel Vincent's receipt for Captain Brock[1] and the officers and crews of the Mary Hatt and Elizabeth[2] taken by the squadron under my command upon Lake Ontario in Nov last, and who were sent to Kingston immediately after, upon their Parole Lieut King[3] is in a way of recovery I will send him over upon his parole the moment he can be removed with convenience to himself"

(Sheaffe's Letter book)

Sheaffe's Reply

Sheaffe's reply from Fort George on 4th January, 1813, courteously declined an exchange of seamen until he received further instructions.

"I have the honor of acknowledging the Receipt of your Letter of 25th Decr Brigadier General Smyth, soon after the burning of the two houses to which you allude, thought proper to explain, in a Letter addressed to the Commanding Officer at Fort Erie[4] by what means that act had been committed, and to declare his disapprobation of it I receive with great satisfaction the assurance of your participating in his sentiments on the occasion

"I regret that it is not in my power to accede to your Proposal for the release of the American seamen taken on the 28th November The Treaty for releasing on their Parole, and for the eventual exchange of Prisoners, entered into between General Dearborn and Sir George Prevost, not providing for such a case I must wait for authority to liberate those men It is not however to be expected that more Prisoners will be sent over from hence on their Parole, until the Officer Commanding the United States Forces on the Niagara Frontier, shall have performed on his part, what remains to be done for the completion of the exchange of those who have been returned by us on their Parole For Captain Brock, I have no doubt that a Captain of the United States Army has been released If the officers and crews of the Mary Hatt and Elizabeth have not been exchanged, it will be necessary that

---

[1] James Brock paymaster of the 49th Regiment, a brother of the General

[2] Canadian merchant schooners.

[3] Lieut Charles King of the Royal Artillery

[4] See Documentary History 1913, Part II, p 246.

I shall be furnished with their names and with authority from His Excellency Sir George Prevost, to enter into a negotiation for their exchange on which I shall without delay apply for instructions

"P S. I beg you will accept of my thanks for your pleasing account of Lieut King and for your assurance of sending him over on his Parole when he can be removed with convenience The name of the officer of similar rank of the U S Army, now on Parole, may be sent with him, for their mutual exchange"

Sheaffe's Letter-book)

From Commodore Chauncey to the Secretary of the Navy

From Black Rock Chauncey went to Erie in Pennsylvania, where another ship yard had been established and the construction of gunboats begun From that place he wrote to the Secretary of the Navy on the first day of January 1813

"I arrived here yesterday and found that Mr Dobbins had commenced the building of four gunboats two of the frames was already raised and the other two nearly ready these boats are too small to cruise upon this lake and the two that are the most forward are in a state I cannot alter them by the other two I have added ten feet to their length which will make them safe vessels

"Mr Doblons has already expended three thousand dollars- he sent me a copy of his instructions in October last I then wrote to him not to commence building until he heard further from me upon the subject he however states that he never received that letter which was the reason that he commenced the boats without instructions

"These boats will not be ready to launch before the middle of April there is but few carpenters to be got here and most of these are house carpenters I have however ordered three good ship carpenters from Sacketts Harbour to this place which will enable Mr Dobbins to progress with the work pretty fast until the Spring when I will furnish more workmen

"The Harbour of Presque Isle is large and capacious (sic) and would be a fine rendezvous for our vessels on this lake if there was more water on the bar which unfortunately only admits vessels drawing from 4 to 5 feet Yet in my opinion it is the best and indeed the only place we can build at The situation is healthy and good accomodations may be procured for the workmen and the place can be easily defended

"Before I leave here I shall inform myself of the resources of this part of the country in furnishing materials for building and equipping vessels for war, my present impression is that

it abounds with fine timber and iron and cordage may be procured with facility from Pittsburgh."

(Captains Letters, Navy Department MSS. Washington.)

From Chauncey to Secretary Hamilton

Returning within a week from Erie, Chauncey wrote to Secretary Hamilton from Black Rock on January 8:

"I arrived here from Erie yesterday and found things much as I left them. The vessels at this place purchased for Acct. of the Navy Department, four in number, besides the Caledonia, are so that state that they cannot be removed until we have possession of the opposite side of the river. I have therefore determined to procure materials at Erie this winter to build a brig of about 480 tons to mount the guns of the Oneida upon her. The cost of the materials will not be great and can be sold with little loss if not wanted. I shall be in a situation in the Spring if we get the vessels out of this river to build the brig in the course of a few weeks which will enable me to seek the enemy upon this Lake. Unfortunately Lieut. Elliott from the best motives, never had the decks of the vessels at this place taken up for the purpose of entering into a more extensive alteration than I wished or contemplated. Soon after the carpenters got at work the enemy commenced a fire upon the place which induced them to break off and return to New York. The consequence has been that the vessels still remain in the state in which the carpenters left them in Oct. last, that is with their decks and sides all torn up. I have not ventured to ask seamen under all circumstances to do anything to them this winter as the weather is intolerable and the days are short. Consequently the men would work under disadvantages that will be removed in the Spring. Moreover I do not wish to incur expense that may prove useless for unless we get possession of the upper side these vessels can be of no service. Consequently any repairs put upon them would be thrown away. I have however contracted for all the stuff requisite to repair them to be delivered here this winter and in the Spring I shall be in a situation to complete their repairs and mount their guns in a few weeks if there should be a prospect of getting the vessels above. If there was any other obstruction than the ice in this River would prevent our getting on the Lake before the first of June and as I shall be able to get out of Sackets Harbor early in the first of April I contemplate bringing all the carpenters from that station to this by water which will give us an abundance of time to fit these vessels or build the Brig at Erie or both as circumstances may require.

"The vessels here have been hauled into a small creek in rear of Squaw Island where they are safe from the ice and the shot of the enemy and I am erecting a Block House to mount four guns on the top besides musquetry near the vessels which will enable our men to protect them completely even if the enemy should attempt to cross over with an intent to burn them Both officers and men have suffered very much this fall and winter for the want of quarters they have been living about in the woods in small huts made of the leaves of trees, ever since they arrived on this station and Lieuts Elliott and Angus have not been able to procure quarters for them the consequence has been that we have lost many by sickness and a number by desertion I am only astonished that so many have remained true to their Country under all the privations which they have suffered I am in hopes to get both men and officers into comfortable quarters by the 15th inst as the building for their accomodation is now under cover and will be ready I think by that time to receive them when they all will be more happy and more healthy The wounded officers and men are doing very well Midshipman Graham has suffered an amputation of his leg

"I am making arrangements for collecting all our stores into one building which are now distributed in almost every direction for twenty miles around owing to the great confusion which has prevailed upon this frontier ever since the war

"I have been induced (as I informed you by a former communication) in consequence of losing the services of so many officers by death and wounds together with the conduct of Lt Angus to appoint Midshipmen Dudley and Holdup to act as Lieutenants which I hope you will approve of

"I hope to be able to arrange my business on this station so as to leave here for Sackets Harbor next week from which place I will write you the state of my command there"

(Captains' Letters Navy Department MSS. Washington)

From Col. Claus to Major James Givins

The messengers appointed by the Six Nations to solicit the co-operation of the Indians in Lower Canada, who apparently made the long journey on foot, were provided with letters to the resident agents of the department at York and Kingston, to facilitate their march To Major James Givins the agent at York, Colonel Claus wrote

Fort George 16 Jany 1813

"Sir,

"The bearers, seven men of the Six Nations, are Messengers to the Seven Nations of Canada, you will give them what assistance you can in provisions.

"I wrote to you a few days ago enclosing a letter to Mr Askin[1] at Mackanac, should no opportunity offer very soon trusty Indians must be sent as an answer is very soon required."

(Claus Papers, Copy by Miss Catherine Claus.)

From Col. Claus to Capt. John Ferguson

His letter to Captain John Ferguson, the agent at Kingston, was more urgent

Fort George, 17th Jany 1813.

"Sir,

"The bearers, 7 men of the Six Nations, are on a mission to the Lower Province, you will please give them every assistance in your power in provisions, & should any of them be taken sick on the road, you will furnish them with a paper requesting of the Inhabitants to assist them with a slay from post to post As we have no station lower than Kingston, Gen Sheaffe has written to Col Vincent to give them letters to the different Military posts between Kingston and Montreal to supply them with provisions."

(Claus Papers, Copy by Miss Catherine Claus.)

From Col. Claus to Prevost's Secretary

Colonel Claus having informed General Sheaffe that interest had become due upon the money derived from the sale of the lands of the Six Nations on the Grand River, which had been invested for them in England he brought the matter to the attention of Prevost's military secretary in a letter from Fort George on January 17

"I am directed by Major General Sheaffe to transmit to you the accompanying Letter from Colonel Claus, Dy Supt Genl of Indian affairs and to request that it may be laid before His Excellency the Governor in Chief

"It is impracticable to obtain the money in this Province to satisfy the claims of the Indians It has been due to them several months and even if cash could be got for Col Claus's bills as Trustee, a loss would be sustained owing to the rate of exchange, that Government, it is conceived would not allow to fall on the Indians Major General Sheafte therefore begs to propose for His Excellency's consideration that the sum of be remitted to the Dy Commissary Genl, about five hundred of which to be in silver and the remainder in the smaller army notes, to be paid into the hands of Colonel

[1] John Askin, Jr., storekeeper for the Indian Department at Mackinac and St. Joseph

Claus, for his Bill for that amount, as Trustee for the six Indian Nations"

(Sheaffe's Letter-book)

From Capt. Loring to the Military Secretary

As the local stores were no longer able to supply the soldiers with the small articles needful for cleaning and mending their clothing and accoutrements General Sheaffe recommended that they should be furnished in future by the commissary officers Captain Loring wrote on the subject to the military secretary from Fort George on January 25

"Major General Sheaffe has directed me, in reference to an order for the officers to procure supplies of necessaries for their men from the Lower Province, to request that you will lay before His Excellency the Commander of the Forces his suggestion that supplies of clothing and necessaries for the Troops here, may be sent up by the Commissariat to be issued Major General Sheaffe is induced to propose this measure from a conviction that the procuring the articles necessary for the soldiers comfort from so great a distance, particularly at this crisis, would be attended with much more difficulty and even risk, than the Individuals commanding companies could be enabled to surmount or bear the heavy responsibilities of"

(Sheaffe's Letter-book)

From Charles Askin to His Father

The tranquility of the Niagara frontier was scarcely disturbed during the winter months by even a rumour of hostility On the second day of February Charles Askin wrote a letter from the head of Lake Ontario which is here transcribed

"Dear Father,

"I wrote to you three or four days ago, and enclosed some newspapers to you which I left at Queenston to be forwarded from that I have still one left which I shall now inclose in which you will see the fameous General Smith's Official Despatch respecting the battle at Fort Erie, which is one of the most ridiculous things I have read for a long time past

"I was much rejoiced to hear of the great Victory obtained over the Enemy at River Raisin From what I have learnt General Harrison is supposed here to be on his way to Detroit Some troops have left Buffaloe some time since to reinforce his Army Its a great pity we have so few regular troops here that we can spare but a Very small number to

assist you above, one hundred and forty of the 41st Regt passed this on their way to Amherstburg to-day I am afraid no more are going up for some time

"I am now settling all my business, so as to have my affairs in such a state as to be able to leave home (if necessary, for some months without suffering much by it

"I find I have an account in my books against James and another against Alex I think which I now inclose I think I owe Theresa something I shall make her out soon and send it to her probably James may owe me although I have nothing in my books to ascertain I cannot recollect now how I paid him the difference between the value of Eclipse & the Colt I gave him, but he may remember I should like to know if any of the Cider sent down belonged to him and if he has any acct against me

"Mr Robert Dickson arrived from Lower Canada three days ago its thought that he is to have Command of a large body of Indians the latest news we have from below is that the French were obliged to leave Moscow

"I inclose Pudrie's note and Thomas Collin's which I have found among my papers

"Please give my love to my Dear Mother my Brothers and Sisters and believe me to be Dear Father, &c"

(Burton Historical Library, Askin Papers)

From Gen. Sheaffe to Sir George Prevost

The pay and maintenance of the militia called out for the defence of the province was a charge upon the provincial treasury which had long since been drained and large advances had been made by the Deputy Commissary General to meet the most urgent demands for military and military expenses These were but partly met by drafts upon the Military Chest, which it does not appear were ever repaid by the province A letter from Sheafte to Prevost written at Fort George on February 8, shows the comparatively large sum required for these purposes

"I have the honor to acquaint you that the Dy Commissary General has forwarded me a statement for the several sums advanced by him, to this date for Provincial Services in Upper Canada amounting to £28,000 Army Pay I am therefore to request that you will be pleased to grant your Warrant to that amount in favor of the Deputy Commissary General of the Province And as a further supply will be required immediately in aid of the services I hope you will please also to grant another Warrant for £12,000 Army Pay and that the Commissary General may be directed to forward the amount to the

Receiver General The average Provincial expenses arising out of the War with the United States, may be stated in ROUND sums, as follows.

Amherstburg and Detroit	£ 2,000	per month
Long Point	500	" "
Fort George and Dependencies	5,000	" "
York	800	" "
Kingston	2,000	" "
Prescott & Eastern District	2,000	" "
Total	£12,300	

Exclusive of Rations of Provisions"

(Sheaffe's Letter book)

Letters from Colonel Proctor

Letters from Colonel Proctor commanding at Detroit and Amherstburg, contained a very urgent appeal for a small reinforcement, which in fact was already on the march, and disclosed an alarming situation In the first of these he said

"If you do not send me as many as will replace those who are in consequence of the affair of the 22d (at the River Raisin) unfit for service, I mean of the 41st Regt very serious Consequences may follow the Enemy's advance, which should be expected and immediately We shall do our duty, but that will not save the Country tho' it may our Credit"

In the second letter written three days later, he announced that the hostility and treachery of some of the inhabitants of the Michigan territory had induced him to take most drastic measures to enforce obedience

"To preserve the Territory therefore" he said, "I found myself under the absolute necessity of declaring Martial Law therein I have also found it necessary to order some of the more suspicious and turbulent characters to quit the territory, among whom are some British subjects They will proceed to Fort George under an escort and there will be at your disposal tho' I shall take upon me to make some remarks respecting some of them"

Among these persons deported from Detroit were Chief Justice Woodward, who had been retained in office, and Colonel Elijah Brush of the Michigan militia, whose wife was a sister of Charles Askin

Captain Loring wrote from Fort George on February 12 to Colonel Baynes the adjutant general

"I am directed by Major General Sheaffe to forward to you the two accompanying Letters from Colonel Procter to-

gether with a copy of the Resolutions of a Party of the Inhabitants of the Territory of Michigan, referred to by him[3] The Papers were brought express by Mr Mackintosh who who met Mr Dickson and Captn Norton on their route to Amherstburg, and was informed by them that about a hundred of the grand River Indians were assembled and ready to march He afterwards stopped at the house of Mr Chew of the Indian Department by whom an express was sent for those Indians to proceed immediately to Amherstburg and directions have been sent up for as many more to follow them as can be assembled Orders have been likewise forwarded by Lt Col Bostwick of the Oxford Militia, who happened to be here, for the Middlesex, the Oxford and Norfolk Regts of Militia, to march immediately under Colonel Talbot to reinforce Colonel Procter

"Major General Sheaffe desires me to say, that he does not deem it prudent to detach any farther portion of the Regular force from this line, the Enemy being in great force and there being a bridge of ice between us The Militia of this District are called in"

(Sheaffe's Letter-book)

From Charles Askin to His Brother-in-law

Naturally Charles Askin took considerable interest in the fate of his brother-in-law who seems to have received better treatment than his fellow prisoners On February 23 he wrote from Queenston to his father

"I wrote to you on Monday last by Mr Crain in answer to three letters I lately had the pleasure of receiving from you Mr Brush is still here The other Citizens of Detroit are in Niagara and are hardly allowed the liberty of walking the Streets I am happy to say the behaviour of Mr Brush has been different and he has had the privilege of coming up and going down from this to Niagara when he pleased I have staid here several days on his account tho I was anxious to get home I believe I shall go to-day Alex Hamilton will do any thing he wishes therefore he will be at no loss when I am gone I have paid Mr Brush sixty-one dollars for you, which he says was the amount of the 4 Doobloons you got of him, and I have paid [John Meldrum]* twenty dollars for Alex which I must beg he will return to me as soon as possible as I am very much in want of money the remaining thirty dollars which Alex Owes Mr Meldrum he should pay to some of

[3] See Historical Collections of the Michigan Pioneer and Historical Society Vol. XV pp. 241-2

* One of the prisoners.

his friends at Detroit, I suppose to his Wife or his Father. The detention at Niagara of these people from Detroit will be attended with a great deal of expense to them; but it will teach them to behave themselves a little punishment will do them no hurt

"We were for some time in great hopes of seeing General Harrison and his Army here,[4] but from what I can learn I do not think he will be ready to come forward for some time to Detroit, and its probable he will not dare to advance at all

"We see no troops opposite this and I believe the enemy have not many in Fort Niagara

"Col Procter & Col Vincent are promoted and are both Generals now

"I am sorry to say Lt King of the Royal Artilery died yesterday morning at Black Rock or Buffaloe of the wounds he received in the action on the 28th Novr last, he was an active and gallant officer"

Burton Historical Library, Askin Papers)

From Capt. Loring to the Commandant at Kingston

A letter from Captain Loring to the commandant at Kingston, written at York, gave orders for the deportation of the two most favoured of these prisoners, while the others seem to have been detained as prisoners of war, some of them being sent to Quebec for confinement

"I am directed by Major Gen. Sheaffe to inform you that on the arrival of Colonel Brush American Prisoner of War, and Mr Woodward, the late Chief Justice of the Territory of Michigan, at Kingston who proceed from hence escorted by Lieutenant Johnston of the Canadian Regiment, the bearer of this Letter), they are to be crossed over to the American shore together with their Horses should they require to take them, this however I do not imagine will be the case, as they are now endeavoring to dispose of them"

Sheaffe's Letter book)

From Lt.-Col. Bruyerss to Sir Geo. Prevost

After having visited the Niagara frontier for a few days Lieut Colonel Bruyerss made a careful report upon its defences to Sir George Prevost which was written at Kingston on February 13

"I would have written to Your Excellency from Fort George to report the state of that frontier" he said, "but the extreme illness of Major General Sheaffe during the time I

[4] As prisoners of war

was there prevented my communicating with him on business until two days previous to my departure in order to obtain his approbation and concurrence for the measures of defence which I proposed to adopt for the defence of that line.

The work at Fort George is in a very ruinous and unfinished state, principally the line of curtain opposite the American shore, which was found to be so faulty and has been the means of protecting the troops during the severe cannonading that took place at that time. It will be indispensably necessary to complete this part as a first work as soon as the season can possibly admit, removing earth from the parapet of good solid work of sufficient height and thickness to resist battering from the opposite shore. It will further be very desirable to diminish the line as much as possible by cutting off the present work on the south-east front in order to reduce the extent of the fort which has rendered it very weak by enclosing too large a space of ground. It will by this means become much more compact and defendable at the same time it will decrease the labor and expense necessary towards its construction.

Major General Sir [illegible] has approved of the manner in which the works proposed to be done, which I will have the honor to explain to Your Excellency on my arrival at Quebec. Splinter proof Barracks to contain about 400 men will be required to be constructed in the rear of the curtains to secure them from the effects of shot or shells. Stabling for the artillery horses with barracks for the drivers and Royal Artillery must also be provided within the fort. The present Block Houses are so much exposed that it will be necessary to take down and remove the upper story of these buildings and to lower the whole to the level of the proposed terre plein. They will then be sufficiently secure to contain [illegible] and commissariat stores for the use of the garrison. The powder magazine can only at present be made temporary, the traversing work well covered with earth. The public building near the river at Navy Hall should all be removed as soon as possible and rebuilt in a place of security at some distance from and in rear of the fort. The stores they contain and the buildings themselves are so exposed to immediate destruction that no delay should take place in this service. Gun sheds are required for the cannon and field guns in the fort. A hospital for the troops to be built out of range of the present [illegible] opposite Fort George to consist of [illegible] with a surgery and [illegible] strongly recommended and applied for by the medical department. The sick and wounded are at present accommodated in a range of [illegible] within range of the opposite batteries.

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[1] Sir Martin.

"There are six detached batteries containing eleven pieces of ordnance of different natures between the lake and Fort George, four batteries with five pieces between Fort George and Queenstown Two batteries with two guns on the mountain at Queenstown Two batteries with three guns at Chippawa Three batteries with three guns opposite Black Rock below Fort Erie This number of detached batteries may at first sight appear superfluous and unnecessary but the commanding positions that each of them occupy are so very essential that it is not possible to diminish or reduce them without making the post so reduced the place for debarkation for troops The only object necessary to be accomplished is to secure these batteries with a strong line of palisades in the rear to guard against surprise or sudden attack This would have been done last fall but regulars and militia were so constantly harassed and employed to protect this extensive line that they had not a man to spare either to prepare the palisades or fix them Small temporary magazines constructed of log work covered with earth to contain each a few barrels of powder are required for the service of these batteries I have directed these magazines to be immediately constructed and the batteries to be enclosed

"A tower or small redoubt to command the entrance of the river is essentially necessary to be erected on Missassaguai Point

"It is also requisite that the work at Fort Erie may be continued and completed as early as the season will permit Altho' liable to some objections it will in my opinion be the most expeditious and best system to finish what is already begun than to take up a new position The battery to protect the front may be constructed with sod work the guns to be mounted on traversing platforms and elevated as much as possible to guard against the commanding batteries on the opposite shore A magazine will be required within the fort, which may in the first instance be built with timber in a temporary manner that no delay may take place to secure the powder

"Accomodation is very much wanted for the troops on this part of the Communication particularly officers quarters, so many of the houses on this line have been destroyed by fire that it becomes a very serious deprivation and quarters must be built to lodge the men Splinter proof barracks must be constructed within the fort similar to what is proposed at Fort George The number of men for the defence of this line must indispensably be augmented to afford any reasonable expectation of maintaining the positions on this frontier The distance from Fort George to Fort Erie is thirty-six miles

Twenty-eight miles of this distance is accessible and favorable to disembark at any point from the opposite shore I have arranged with Major General Sheaffe relative to the most material of the services herein mentioned"

(Dominion Archives, C 387, pp 15-18)

Militia Orders

General Sheaffe had been disabled for several weeks by serious illness but had sufficiently recovered to go to York for the opening of the winter session of the provincial parliament He was still much enfeebled and his mind was dulled by disease Sir George Prevost made a hasty journey from Montreal in a sleigh as far west as Fort Erie inspecting the troops and fortifications and even "visiting the advanced positions which the solid state of the ice at the northern extremity of Lake Erie had rendered it indispensably necessary to establish to prevent those incomplete & open batteries from being surprised or taken in reverse"[1]

Movements of troops on the opposite side of the Niagara actually caused so much alarm that it was considered necessary to call upon the militia to reinforce the troops on duty

"Head Quarters, York, 16th March, 1813.

"M G Orders.

"His Honor Major General Sheaffe is pleased to direct that the five Lincoln and the second York Regiments of militia are to furnish with all possible expedition three companies each for duty on the Niagara line

"Agreeably to the new militia law there will be one captain, one lieutenant, one ensign and three sergeants to each company and it is not to exceed fifty rank and file The commanding officer of each regiment and the other officers whom he may find necessary to call on for the purpose are enjoined to use every exertion for the assembling and march of these detachments to the nearest point of the frontier

"His Honor Major General Sheaffe being determined to notice with the utmost severity any neglect or disobedience which at such a juncture may endanger the safety of the province but he trusts that the spirit which rescued the country at Detroit and at Queenston will so generally and powerfully prevails that it will save His Honor from the painful task of

[1] Prevost to the Duke of York, Quebec 20 March 1813 C 1220. p 233

censure and leave him nothing to bestow but praise and commendation

"By order

"Æneas Shaw

"Adjt Genl Militia"

(Dominion Archives, Militia Papers, M D 32)

From Col. Vincent to Sir Geo. Prevost

Active hostilities began with a lively artillery duel between the batteries on opposite sides of the river at Black Rock and near Fort Erie on March 17 and the companies of the Second Lincoln and Norfolk Regiments of militia which had been stationed along the shore of Lake Erie, as far up as Point Abino were hurriedly marched down to resist a landing which was supposed to be imminent but was not attempted

Colonel John Vincent commanding at Kingston, was transferred to Niagara, to command the division on that frontier, with the local rank of brigadier general He was well known to many of the militia from being previously stationed at Fort George and possessed their entire confidence and esteem

Soon after his arrival there he projected an assault upon Fort Niagara which he believed could be easily taken but this was disapproved by Sheaffe as being contrary to the strictly defensive policy advised by the governor

"The last information of the Enemy at Niagara states their number much lower than it had been supposed to be," he wrote to Prevost from York early in April Two hundred are said to form the Garrison of Fort Niagara This intelligence has encouraged Brigr General Vincent to propose a plan for an attack on it with four hundred men for which purpose it seems that more boats are required than we can at present command besides it was thought a necessary part of the plan to employ the aid of Indians in its execution It appears to me that such an operation if we possessed the means of effecting it would not accord with the principle adopted by yr Excellency with regard to Sackett's Harbour as communicated in yr private Letter of the 18th March which has arrived since I began this Letter '

(Sheaffe's Letter book)

List of Tavern Licenses

A list of licenses issued for conducting taverns and shops in the Niagara District contains several familiar names

"Account of the tavern licenses issued in the District of Niagara between the 5th Jany and 5th day of April, 1813

"April 5th

John Knox
Thomas Powis
James Bunting
John Smith
John Daley
William Wynn
Robert Waddle
Peter Welch
Paul Shipman
William Terryberry
John Emery
Mary McBride
Samuel Swayze
John Palmer
Edward Brady
James Henry
Charles Anderson
John Halley
William Vanderlip
Abraham Markle
Frederick Anchorin
Nathan I Fowler at £3 each,

Total amounting to sixty-six pounds Halifax.

Isaac Swayze

Shop Licenses.

John Young
Francis Crooks
John Dorman
John Grier
William Crooks
James Crooks
John Elbert
Daniel Shunck
Elijah Secord
Andrew Heron
John Baldwin"

Dominion Archives, Sundries, U C. 1813)

From Lt.-Col. John Warren to Major-General Shaw

A veteran officer in the militia, who was also commissary at Fort Erie, found it necessary to resign his commission and was succeeded by his son, John Warren, Junior

From Lt Col John Warren to Major General Shaw

Fort Erie, 7th April, 1813.

Sir.

The duties of the Commissariat at this post since the commencement of the war have increased near ten fold and require every attention that myself and two assistants can give The rapid decline of my health for the two months last past, had put it out of my power to attend to the station that I hold in the militia with that strictness that it requires I am therefore constrained to request that my resignation of Lieutenant Colonel of the 3rd Regiment of Lincoln may be accepted

Militia, U C, 1813)

From Charles Askin to His Father

Charles Askin diligently collected news for his father's information On April 23 he wrote to him from "Mountain 3 miles from Queenston"

"I have long anxiously wished for an opportunity of writing you, to return thanks for the loan of seventy five dollars you were so kind as to send me by Mr Pattinson the receipt of which relieved me from small embarassments which the loss of the hundred dollars last winter would have thrown me into but I sincerely hope you have suffered no inconvenience by sending me that sum or I shall regret having got it

"I had the pleasure of receiving a few lines from you some days ago desiring me to send up Eclipse[1] which I will do as soon as he is in a condition to perform the journey, and that I have a good chance of sending him Forage for horses is hardly to be got, there has been so much consumed by the Field Officers' horses, Dragoons Do and the horses of the Carr Brigade, and not so much hay cut last Summer as there used to be in other years, for many were doing duty as Militia men and lost most every thing they had, but this has been the case at Sandwich as well as here Flour is 10 Dollars per barrel which I think is low considering the times I see in a newspaper an extract from a Boston Paper, which says that every barrel of flour sent to supply Harrison's Army cost one

[1] A riding horse

hundred and twenty dollars when delivered to the Government of U S I believe it must be very expensive getting flour to where his Army are stationed but still do not think it can cost so much

"The American Government have accepted the Mediation of Russia and the Ambassador from the Country on his arrival in the United States was well received An American Officer who came over to Niagara two days ago with a flag of Truce says that an Express had gone to Sir John Borlase Warren, who has power to treat with them but when the Express arrived at Sir John's Station he had put out to Sea, the dispatches were opened which were for him by the officer next in Command who immediately sent a cutter out after him, and in three days Sir John returned and sent a dispatch immediately to Washington The officer says that an Armistice for six months was requested which was the occasion of the communication between his Government and Admiral Warren this will probably be the forerunner of a Peace If they wish for peace so much the better if not I think we will soon be prepared for them here so as not to dread any force they can bring against us part of the 8th Regt have arrived at Niagara and the remainder of them are on their way up here, the 104th Regt were at Kingston some days ago on their way up part of the Glengary Light Infantry regt are here and the rest of them coming and three Companies of Voltigeurs, when all these get here we shall have a very respectable force The 41st are at Fort Erie under Orders for Amherstburg

"They are recruting here for a Troop of Dragoons, a Corps of Drivers 2 Companies of Artillery and a Corps of Artificers which to complete will take four hundred men, who are to serve during the war with the United States these Corps interfere very much with the Regiments of Incorporated Militia which we are attempting to raise here and to one of which I belong I have been as successful in getting men as almost any one yet have not got my complement I think if I had Alex Aikin with me I should get them in two or three days for I think he would make an excellent recruiting officer

"The whole of the immense Army taken by Bonaparte into Russia has either been taken or destroyed except a few officers who made their escape with him Genl Yorke who commanded 30000 of the Prussians in Bonaparte's service was forced to enter into a convention to save himself and men, one of the Articles of which was that his army are to occupy a District in Prussia which was to be perfectly neutral and that if the King of Prussia did not ratify the convention they were

not to fight against the Russians for 2 months from the date of the Convention Mr Barlow the American Minister at the Court of France died on the Road between Dresden and Paris of the Fatigues of his Journey to and from Wilna, he had gone to congratulate Bonaparte on the taking of Moscow One of Barlow's attendants, who did not wish to perform the Journey made his escape to Heligolan l where he was taken up as a spy and in his possession some papers were found of consequence, among which was a proposal from Bonaparte to Madison to guarantee the Presidency of the United States to him for life on condition of his declaring War against Great Britain Bonaparte also complains of the want of energy in the American Government and wishes it subverted He offers to send over 3000 French Officers which he directs how to be introduced into the American Army without creating any suspicion, offers also to lend him money and a few frigates that Mr Barlow is dead I believe l ut whether the rest of the story is true I have some doubts so many stories of this kind are now made an l the people have been so often deceived that should all this be a fact they will give no credit to it in the States

"By a letter an extract from which I have seen in a Newspaper, from an officer in Harrison s Army date l 28th Jany it appears that only 27 of Winchester's Army made their escape from the River Raisin on the 22nd Jan "

(Burton Historical Library, Askin Papers)

Petition to General Vincent

The capture of the seat of government and its occupation for several days by an overwhelming host le expedition at the end of April was a serious disaster causing great discouragement A ship of war on the stocks, larger than any then afloat on Lake Ontario with the supplies necessary for its completion, and the l uildings of the dockyard the garrison and public offices were destroyed The civil adm nistrati n of the province was dislocated and all communicat on with Kingston and Lower Canada was cut off for about two weeks The movement of much needed reinforcements already on the march was delayed The situation appeared so alarm ng that the most influential magistrates united in preparing an address to General Vincent suggesting resort to martial law to maintain order

"To Brigadier General Vincent

"At a time when the Enemy has possessed himself of the capital of the Province and the President (is) driven from it, the Judges of the Court of King's Bench under control of the

enemy, the public records burnt, and all benefit of the laws suspended or annihilated and the Enemy momentarily threatening an invasion Such a state of things could never have been contemplated by our Legislature otherwise it would have been provided for by the enactment of more efficient Laws We therefore as men of some standing and weight in this Society and holding real property to a great extent humbly offer it as our Opinion that under existing circumstances self-defence is paramount to all other considerations and at present recourse only to the civil laws of this Country would be unavailing and paralyze the best exertions of His Majesty's loyal Subjects endanger our existence as a people and government, the safety of which ought to be supreme law When we observe a supineness or want of alacrity in some of our Militia traitors joining the Enemy and some fostered among ourselves, reason and argument become nugatory A regard to the interests of our Sovereign and the deliverance of these Provinces from the domination of the Enemy would well warrant the immediate adoption of Military law administered with a due regard to the habits and feelings of His Majesty's loyal subjects but aware that in your situation, it might not be thought expedient to promulgate the same, but placing the most implicit confidence in your discretion and ability we would humbly presume to advise that you would take upon yourself to adopt such measures as in your own judgment would tend best to the defence of the Country and in the exercise of such measures should individuals find a more rigid system adopted that in calmer & better times might be complained of yet the necessity of such must now be apparent to all and the Agent will meet decidedly with his Sovereign's approbation and indemnity from a discerning public

"Should eventually contingencies occur which might expose you individually to animadversion from such measures, we pledge ourselves upon all occasions hereafter to come forward and defend the necessity thereof and we hesitate not to say we will jointly and individually be responsible for any pecuniary deterioration your private resources may sustain thereby

"W Dickson
Js Crooks
John Symington
R Nichol
Thos Dickson
A McDonell
Jno Powell
Jos Edwards

A. Cameron
Robt Campbell
Amos Chapman
S. Street
T Cummings
T. Clark
D Secord
George Turney
Robt. Grant

"Niagara 8th May 1813"

From General Vincent to General Sheaffe

By that time the squadron, which had been employed in the expedition, which had taken York, had crossed the lake and landed the troops on board at the Four Mile Creek in rear of Fort Niagara, where they were joined by another considerable force transported in boats from Oswego and were encamped in the woods out of sight The next ten days were employed in making arrangements for an attack upon Fort George in conjunction with the ships of war which were sent to Sackett's Harbour to bring up reinforcements to make success certain by weight of numbers The arrival of this fleet could not be concealed from observation and was immediately reported by General Vincent in a letter to General Sheaffe, who was then at Kingston.

Fort George, 20th May, 1813

"Sir

"I have to inform you that seven vessels appeared on the lake about sunset last night, and this morning we discovered at anchor two brigs and fifteen smaller vessels with each a large batteau.

"At daylight they were seen in the act of disembarking men

"I have every reason to expect an immediate attack especially from a movement the enemy made yesterday, bringing a strong force from their left to the fort and the encampment in rear of it.

"At all events I do not think a moment should be lost in giving you the information of this portion of the enemy's fleet being at this quarter

"I have made no change in the distribution of troops since my return to you of yesterday except that I have ordered the detachment with the six pounder at Chippawa to Queenston."

From the Governor-General to Vincent

Vincent had then received a letter from the governor-general, informing him that Sir James Yeo and other officers with 450 seamen had arrived for service on the lakes and were on their way to Kingston

"This with smaller reinforcements," he added, "will, I hope, enable us to regain our ascendency on Lake Ontario I am also strengthening the posts in that Province by additional troops and I shall not fail to supply you with whatever you may stand in need of as soon as your wants are made known to me Under such circumstances I trust I may rely upon a continuance of your best exertions for repelling any attempt of the enemy upon your frontier & for preventing them from gaining a footing in the Province"

From Prevost to Vincent

After writing in these terms from Montreal Sir George Prevost went forward to Kingston, where he received Vincent's reply and wrote to him again

"Kingston, 24th May, 1813

"Sir.

"I was early this morning honored with your despatch of the 19th inst [1] The confidence you repose in the steady zeal and high spirit animating every individual on the frontier committed to your charge is highly gratifying as such feelings cannot fail in producing the glorious result you anticipate from the attempts the enemy may make upon your position In ten days our flotilla will be ready to go forth to dispute the ascendency on Lake Ontario with the enemy, a series of exertions have led to this state of forwardness in our naval preparations I am much mistaken if Commodore Chauncey is not over-matched Our little fleet will consist of the Wolfe carrying 4 68 lb carronades and 14 18 lb. long guns The Royal George, the Moira, the Regent and Sir Sidney Smith are as well manned.

"You will on all occasions express frankly your sentiments upon all subjects connected with the important duties you have to perform and in return you will find in me a readiness to remove or alleviate the difficulties you have to contend with to the extent of your reasonable expectations from the scanty resources His Majesty's Government have hitherto placed at my disposal"

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[1] This letter is printed in the "Documentary History, 1913," pp. 236-7.

From Sir Geo. Prevost to Capt. Norton

Vincent had reported that Captain Norton, "whose anxiety and zeal for the public service is so constantly conspicuous," was encamped on his left towards the lake with about one hundred Indians and Prevost wrote to Norton on the same day a private letter to stimulate his efforts.

"Kingston, 24th May, 1813.

"Sir

"It is with very great satisfaction that I have heard from different quarters the high commendations which have been passed upon your courage and activity since the commencement of the war with America. I earnestly recommend to you a perseverance in the same well example which you have hitherto afforded to the brave warriors whom you have brought into the field and a continuance of your exertions to keep up and to increase the numbers of a description of force so truly formidable to the enemy and so capable of sustaining the good cause in which we are engaged

"Accept my thanks for yourself and those whom you lead and the assurance that I will take every opportunity of making known your exertions in the cause of your Great Father to His Royal Highness the Prince Regent."

From Gen. Vincent to the Officer Commanding at Kingston

At the end of a destructive bombardment of his position and in anticipation of an immediate attack by an immensely superior force, Vincent addressed a letter to the officer commanding at Kingston.

Fort George, 26th May, 1813

"Sir

"I have to inform you for the information of the Commander of the Forces that the whole of Commodore Chauncey's fleet are at anchor off the American Four Mile Creek

"They commenced a cannonade on our fort at daylight this morning and I am sorry to state that every building in the fort is at this moment burnt down except the place that was formerly the magazine and the new casement The town has as yet escaped their fire but I expect to hear every moment that they have opened their guns against it.

"I am fully confident that it is the intention of the enemy to attempt making a landing this night or to-morrow morning on my right and left and I understand from a deserter who came over last night, that the order was out for the attack to take place this morning and to have two days provisions

dressed for that purpose I also understand from this man that the enemy's strength is to be between seven and eight thousand

"I have therefore to hope that troops are on the way to my assistance.

"Everything that is possible shall be done for the support of this place but if I am overpowered I shall take up a central situation and wait there for the support I have every reason to expect from Kingston.

"I have at this moment received the Adjutant General's of the 16th inst and as I am much hurried I have requested Colonel Myers to write him fully on the present situation of this post "[1]

From Sir Geo. Prevost to the Duke of York

Vincent's letter of May 20 was a principal factor in inducing Prevost to attempt a diversion in his favor by making a premature attack on Sackett's Harbour for which his means were inadequate and failed to gain complete success. Soon after his return from that adventure he learned that Vincent had been forced to retreat and made a report on the subject in a letter addressed to the Duke of York, the Commander in Chief

Head Quarters, Kingston, U Canada, 3rd June, 1813.

"Sir

"I had the honor of informing Your Royal Highness in my despatch of the 1st inst of the appearance of the enemy's fleet off Niagara, & of the effect of the cannonade of their ships & batteries on Fort George I have now the honor of acquainting Your Royal Highness that on the 27th ulto the enemy succeeded in effecting a landing about two miles from that fort under the fire of their flotilla & batteries with a force so very far superior to any that we could bring against them, that notwithstanding the most gallant & determined resistance on the part of His Majesty's troops under the command of Colonel Vincent, he was unable to maintain his position on that frontier & obliged after falling back upon Queenston, to retire with the whole army which he had collected from Chippawa & Fort Erie to the head of the lake

"I have great satisfaction in stating to Your Royal Highness that by the report of Colonel Vincent I find that this part of the frontier was not abandoned until every possible exertion had been made to retain it & until the forts & batteries

[1] This letter is printed in the "Documentary History 1813." but unfortunately misdated May 20, pp. 237-9.

had been rendered at least for a time a useless acquisition to the enemy by their destruction and that of the ammunition which could not be carried away Notwithstanding the unequal contest which was so long and so gallantly supported by a handful of His Majesty's troops against an overwhelming force, the army has not been very consderably weakened by the loss they have sustained & they were enabled to retire without molestation from the enemy to a position at the head of Lake Ontario where Colonel Vincent will endeavor to make a stand until I shall have it in my power to reinforce him or until circumstances shall oblige him further to fall back. Conceiving that the appearance of the fleet under Commodore Sir James Yeo off the position occupied by Colonel Vincent might give additional consequence to his troops, I have embarked the remainder of the 8th Regiment, consisting of about 200 men with which & a supply of clothing, ammunition & provisions the fleet sailed this morning

"I sincerely regret that I cannot add to this despatch a report of the arrival of any portion of the troops announced to be on their way to Quebec from Cadiz, Malta & the West Indies."

(1220. pp 385-6.)

Extracts from the Quebec Gazette

The undaunted spirit, that still continued to animate the small body of men under General Vincent's command, in the face of very alarming loss, is well shown in a brief account of the battle of the 27th May published in the Quebec Gazette on Thursday, July 7

The following extracts are from a Letter of an Officer of rank in the gallant division of the army under Brigadier Gen Vincent, dated 31st May

"Our little Division has taken up a fine position near the head of Burlington Bay, which Brig Gen Vincent proposes to occupy until favorable circumstances allow to our gallant little band assuming offensive operations The conduct of the troops engaged on the 27th was beyond all praise, and probably few instances are to be found in Military annals where 700 men successfully opposed 7000, supported by a tremendous fire of shot and shells from the shipping which extended upwards of two miles along the coast taking all the streets of the town Yet under these disadvantages our gallant detachment advanced in line on the plains, in the hope that the great disparity in numbers would induce the enemy to make a similar movement, but the shower of shot and shells in which they alone trusted was their only return.

After a full hour's halt, we deliberately and proudly fell back upon Queenston, where being joined by the detachments at Chippawa and Fort Erie, under Lieut.-Col. Bishop, we marched upon this position. The movements of the troops were performed with the coolness and precision of a parade. The Militia behaved most gallantly, and have by their subsequent conduct evinced in the strongest manner, that if there are some bad subjects among us, that there is still a preponderating majority of men zealously devoted to their country's cause. The best spirit and confidence in our ultimate success prevails. The enemy have spread a report of an intention of what he calls intercepting us. If he attempts it here, he will perhaps catch a Tartar. His Ship Guns will avail him nothing against our bayonets."

From Gen. Vincent to the Adjutant-General

On June 4 Captain Robert McDouall, an aide-de-camp to the Governor-General, arrived from Kingston at General Vincent's headquarters at Burlington Heights, with instructions to him that if he was forced to retreat toward Kingston, to detach a considerable portion of his regular troops to reinforce General Procter at Detroit. Later in the day he received a report from his outposts which induced him to believe that an attack would be made upon his position and in a hasty letter to the adjutant general he remarked "As circumstances are at present I am determined if possible to be beforehand with them."

Prevost's Reply

This letter was received at Kingston three days later and Prevost promptly encouraged him to take the offensive.

"Kingston, 7th June, 1813.

"Sir,

"Concluding that the presence of our flotilla near your present position with the arrival in it of fresh troops and such supplies as could be procured here, will have had the best effect, I recommend your taking immediate measures for harassing the enemy with your Indians supported by Light Infantry and militia thereby depriving them of the opportunity of exhausting a country you will soon I hope be enabled to re-occupy.

"I send you Major de Haren as an officer well qualified for the execution of such a service. He is accompanied by 250 Indians who are supported by detachments from this garrison. You must organize a corps for this service and the

sooner you bring forward the warriors the less disposition will be manifested by them for returning to their villages.

"As soon as Sir James Yeo returns I will make arrangements for the transport of the 2nd Battn 41st Regt and additional stores and salted provisions

"Altho' the want of co-operation from the navy and the smallness of the force employed prevented us from obtaining complete success at Sackett's Harbor, still I have had the satisfaction to learn that with the naval stores, the sails and rigging of the new vessels were destroyed in the conflagration This circumstance will cause a delay in the preparations for increasing the American flotilla"

(C. 1221, p 139)

From Prevost to the Duke of York

Before this letter was written Vincent had begun his offensive by a night attack upon the enemy's encampment at Stoney Creek, which inflicted such loss upon them that they began a hasty retreat next morning This was accelerated by the opportune appearance of Yeo's squadron in the lake on their flank Prevost described these events in an official letter to the Duke of York

"Head Quarters, Kingston, Upper Canada, 15th June, 1813.

"Sir,

"I have great satisfaction in communicating to Your Royal Highness the successful result of an attack made by a division of the army under Colonel Vincent upon the advanced camp of the enemy on the 6th inst in which British valor and enterprise were most conspicuously displayed the particulars of which affair are detailed in Colonel Vincent's report[1] I have the honor to transmit to Lord Bathurst

"After the retreat of Colonel Vincent from Fort George on the 27th ulto before an overwhelming force which it was not possible with his small numbers to resist, he took up a strong position at the head of Lake Ontario The enemy having pushed forward a very considerable body consisting of 3,500 infantry 250 cavalry and 8 or 9 pieces of artillery, evidently for the purpose of attacking Colonel Vincent's division, he most judiciously determined upon anticipating them by attacking their camp about eight miles distant This was accordingly affected a little before daylight on the 6th instant

[1] See "Documentary History of the Campaign on the Niagara Frontier in 1813" Part II, pp 8-10

by detachments from the 8th & 49th Regiments consisting of 700 men under the command of Lieut Colonel Harvey, the Deputy Adjutant General The enemy were completely surprised and after a short tho' severe action driven from their camp with the loss of three guns and one brass howitzer Two brigadier generals the first and second in command and upwards of one hundred officers and men were made prisoners Our troops having returned to their cantonments with their prisoners and two six pounders all that they had the means of bringing away the enemy broke up their encampment and retired with the greatest precipitation to the 40 Mile Creek, from whence I have the pleasure of informing Your Royal Highness they have since been driven by the appearance of the squadron under the command of Sir James Yeo off that post and by the approach of a body of 400 men pushed on in advance under Major Evans From this last position the enemy retired in such panic and confusion that they left in our possession the whole of their camp equipage and considerable quantities of stores, provisions boats, &c By the last accounts of them they had retreated to Fort George where they were concentrating their forces having evacuated Fort Erie and Chippawa"

(C 1220, pp. 399-400)

Extracts from the Richmond Enquirer

Two letters published in the Richmond Enquirer of 23rd June and 3rd July, 1813, written by officers in the United States army describe the same events from an opposite point of view

"Camp at Fort George June 9th, 1813

"I walked down to the beach yesterday morning to see some English prisoners brought up in boats the night before from a place called Forty Mile Creek They are very clean, smart looking fellows

"General Chandler had taken the command before our army was surprised by General Vincent Our camp they say was very badly and loosely laid out The British advanced silently with fixed bayonets, not a musket was allowed to be loaded for fear of blowing their design Some officers and men advanced at some distance ahead of them, who hailed, amused and stabbed some of our sentinels pretending to give the countersign The advanced guard was first alarmed by hearing the dying groans of a sentry who had been run through Five pieces of light artillery were seized and fired against our troops.

"The regiments in the centre and rear never got to the

assistance of those in front. The 16th Regiment when formed was broken through by our cavalry that had cut its way through the 49th British Regiment and could not stop. Owing to that and the darkness some of the companies engaged their own men.

"The inhabitants hereabouts are almost altogether very inimical to the Yankees—the men would scalp them and the women of Newark are cruel enough to eat their hearts and drink their blood. I do not believe wolves are more cruel if they dared. I wonder that the men are not deprived of all the arms in their houses and prevented from going at large. Several of them are married into Indian families and are captains among the savages. Carr[1] (Kerr) Norton[2] Dickson,[3] and Ferguson[4] and other Scotchmen are in this predicament. Instead of giving liberty to such wretches who have murdered many a Yankee I think they ought to be hung up. But the three first named are with the English army or the Indians. Many cruelties committed by these and other white men in Indian dress are charged to real Indians. I hope these villains will be put to death and their estates confiscated. We can never trust them.

"There is a number of Yankees here from Grand River—they came to obtain parole and say that if our army leaves them, they dare not return to their homes for fear of the Indians. Norton and other Scotch chiefs have lists of suspected Yankees whom they will plunder and murder without remorse. What distresses our friends have suffered for refusing to take the oath and perform militia duty is incredible. Some died in jail and others have been robbed of their property by being fined eighty dollars at every draft. I pity them and I am surprised that General Dearborn (as our officers are) has confirmed the old magistrates in their appointments, who used to oppress and imprison and pillory our American adherents. This conduct annoys us but I suppose General Dearborn has some reason for it."

From a Captain in the 20th U.S. Infantry

The second letter was written by a captain in the 20th United States Infantry who was present at Stoney Creek.

"Fort George, June 10th, 1813.

"On the first of June General Winder with his brigade left this fort in pursuit of the enemy who had retreated to the head of Lake Ontario. On the 5th in the evening we drove

[1] William Johnson Kerr. [2] John Norton. [3] Robert Dickson. [4] John Ferguson, of Kingston.

[redacted] the advanced guards of the enemy and approached within seven miles of the position they had assumed for defence. We encamped for the night at sunset disposed in various and distant sets of [redacted] attacked for a prompt co-operation [redacted] attack [redacted] morning of the 6th at [redacted] before we [redacted] the attack was made [redacted] a few minutes after [redacted] The 5th Regiment and [redacted] An entering to [redacted] Colonel Milton had taken the precaution to extinguish the lights at its fires and lay under arms on the place it was to form during the night and [redacted] after the alarm was heard was prepared [redacted] General Winder ordered this regiment to proceed to the point of attack which movement was immediately executed and the enemy encountered between it and the enemy at distances of between 30 and 100 yards. The firing was maintained for about 15 minutes when the enemy was repulsed [redacted] were ordered to take a position to secure our flank in case of a repeated or additional attack. A company of artillery was stationed not far from the right of the ground we originally occupied and at the moment of our withdrawal was ordered to cease firing under an impression that the whole of the enemy had retreated but a party of them had soldier's luck in and taken possession of three pieces of cannon at Bowles Chandler's. When they reached the spot they discovered their mistake too late to prevent their capture. The small party of the enemy approached under cover of the darkness after our firing ceased and were not discovered until they ordered a charge with bayonets. It is reported that General Winder addressed the enemy saying "Come on my brave fellows they are routed." The 5th Regiment remained at its post until daylight impatiently waiting for orders. None could conjecture what had become of the General. At length it was [redacted] they were taken prisoners and Colonel Burn [redacted] the right wagons assumed the command. At this time there were the 5th Regiment and about 300 other troops in the field well armed and highly animated and the 12th and 14th Regiments were on their march to join them. Commodore Barney also arrived with a detachment of seamen and marines. It was determined to proceed to return to 40 Mile Creek about 10 miles in our rear to procure supplies of ammunition and provisions which were exhausted and our boats had been ordered back. This measure was disapproved by almost all the patriotic officers who wished for an immediate and vigorous pursuit but as Colonel Burn was an experienced officer and the enemy had probably got too much of a

start to be overtaken on that day, the proceeding perhaps was prudent though not agreeable to my feelings nor glorious to our arms. Many stragglers however would certainly have been taken. As a proof of the disorder of the enemy the British General Vincent was missing so long that a flag was sent for his body supposing that he had been slain. He had lost his hat was dismounted and wandered a considerable time in the woods. There were but few Indians with the British and the latter set off the savage ere before the attack was made. This artifice was unworthy of regular troops and it excited no other sentiment but contempt among our soldiers. Though we have not completely effected the object of our expedition up the lake, the surrender or destruction of the enemy's force, the coolness collected and determined intrepidity of many of our troops have been conspicuously displayed and they have acquired valuable experience to be applied in future operations of the army.

"We have endured every hardship and privation, the officers in common with the soldiers. We have borne hunger, thirst, and loss of sleep; we have endured the extremity of cold and heat and have frequently laid upon the wet ground in the open air and sometimes in rain to seek the necessary repose.

Generals Boyd and Lewis joined us at the 40 Mile Creek and had made every preparation for again pursuing the enemy when a peremptory order was received from General Dearborn to return to Fort George, it being apprehended that the British fleet, which now appeared, would take on their troops and attack the place. On the morning of the 8th we accordingly commenced a retrograde in good order and at our leisure. The enemy's fleet made an attack on our boats and effected the destruction of them and all our company and personal baggage. On this retreat the men were so much fatigued that whenever a halt was made they dropped down for rest in the ranks. Myself and Captain Randolph of the 20th have been attached to the 5th Regiment and thus fortunately have had an opportunity to engage in action. I had nine two men wounded and Captain Randolph three. The regiment had several more men wounded but only two of them mortally. The enemy's fire is always rapid and less effective than ours. They lose over five times as many as we do. They had 120 killed and wounded and we had about thirty.

Colonel Proctor has just arrived with a reinforcement and we shall have another battle in a few days."

Memorandum of Major Plenderleath's Services

After the death of Major Plenderleath at the request of his widow Colonel James Fitzgibbon who had served with him for many years in the 49th Regiment prepared a memorandum of his services from which the following is an extract

"On the 27th of May 1813 the American army crossed the Niagara River and drove the British from Fort George & from the west shore up to Fort Erie the several frontier detachments were united at the Beaver Dam some 10 miles back from the frontier & there retreated towards Burlington Heights at the head of Lake Ontario. The American army soon followed & on the evening of June 5th bivouacked for the night at Stoney Creek within 3 or 4 miles of the British Later in the evening the British commander determined on attacking the Americans before day or the following morning & for which purpose his small force about 700 bayonets was countermarched & at midnight it was set in motion & commenced the attack The enemy's about 3000 strong flew from around their fires in the open farm grounds where they were sleeping and formed front to the rear & commenced a heavy fire of cannon and musketry while the British endeavored to form in the extreme dark on unknown & rough ground covered with rail fences fallen trees and stumps, soon fell into confusion & broke & fell back into the surrounding woods Major Plenderleath who was with that part of the line which formed in the high road, soon discovered what was passing on the partially cleared ground to the right & left & ordered the men charging the guns in the front to the road then begin to fire upon him He rallied about 20 volunteers to follow him upon which a young Scotch sergeant named Fraser only 17 years of age sprang forward followed by about 30 men & led by the major they charged the gunners & bayoneted & dispersing every one of them At this moment the 2 American Generals Chandler & Winder, rushed forward followed by some of their officers & men but they were received on the points of the bayonets of our soldiers who took the 2 Generals with 5 other officers and 75 men prisoners These two brought off together with 2 of the field pieces of which there were 4 but 2 of them had to be left behind for want of horses to drag them away The major's horse was killed under him & he was severely wounded During the struggle the cry of a soldier, who was near him to help him to his feet & soon found that he had killed an American but the man immediately surrendered on being ordered to lay down his arms

"In justice to Sergeant Fraser it ought to be stated he stabbed 7 Americans & his younger brother, a lad of 17,

stabbed 4. The sergeant also captured General Winder, who was in the act of raising a pistol to fire at him, but Fraser promptly put his bayonet to the General's heart & commanded him to throw the pistol down, which the General did and surrendered. Fraser is now, (1 January, 1854) a half pay lieutenant and a colonel of militia in Upper Canada.

"The major then brought off his prisoners & guns & in the retreat was joined by scattered troops, who were soon by returning daylight enabled to find their way back from the surrounding woods to the road.

"After the capture of the American Generals, the officer next in command of their army, being but a militia colonel & without experience, deemed it most safe and prudent to march his troops back to Fort George & there await the arrival of Major General Dearborn, who was then on his way from Washington to take the command in chief on the frontier.

"The advance thus made by Major Plenderleath saved that small army & consequently most probably the whole of Upper Canada. For had it not been so made the Americans would have maintained their ground till daylight when they would have discovered that our force was dispersed in the woods and liable to be made prisoners in detail as they issued from thence to the high road individually or in small parties."

From Prevost to Vincent

Vincent was so much encouraged by his success and the arrival of reinforcements that in a letter written to Colonel Baynes from the Forty Mile Creek, he announced his intention to advance and attempt to retake Fort George if Yeo would co-operate with his squadron, which had gone down the lake.

In reply Prevost advised caution.

"H. Q. Kingston, 18 June, 1813.

"Sir,

"The Adjutant General has communicated to me the letter you addressed to him on the 14th inst.,[1] wherein you express a determination to push forward and retake Fort George provided Sir James Yeo would co-operate with his squadron in the enterprise.

"Although I approve the energy and applaud the valour which has been so conspicuous in the Centre Division of the Army of Upper Canada, still I cannot allow you to dissipate your force uselessly at a moment when the concentration of it on the reinforcements which are moving toward

[1] Documentary History, 1813 Part II. p. 74.

you, a combined operation upon the positions occupied by the enemy on both banks of the Niagara River might be undertaken with a well founded expectation of success. However, to preserve unabated the ardor which glows in the troops under your command and with a view to increase the uneasyness which you represent as existing in the American camp and which might cease by inactivity on your part and become confidence I have made the following arrangements with Sir James Yeo who sailed yesterday for the purpose of interrupting the supplies for the American arms moving by water and for carrying away or destroying the depots of stores collected at Oswego and the Great and Little Sodus together with all the vessels and boats he could get at, but in the event of the wind not favoring this design then the Commodore is to proceed direct for Niagara and after having communicated with the British Commanding Officer of the troops as to the proposed attack circumstances are favorable that the ships of his squadron shall anchor opposite to the enemy's camp at the Four Mile Creek for the purpose of cannonading it and, if advisable, landing such of the troops and the marines he may have on board at the time to countenance and support a simultaneous attack on the enemy near Fort George, which is to be made by your light troops and Indian warriors which if readily resisted by the enemy and producing signs of confusion and dismay might be followed up by the main body to dislodge the Americans from the ground they occupy within His Majesty's territories.

"Sir James Yeo has received on board the Wolfe in specie £800 for the Deputy Commissary General. Brigade Major McLean and Captain Chambers are to proceed from hence in the course of the day as will also Major General de Rottenburg who has relieved Major General Sheaffe. Two companies of the Royals and a detachment of the 104th Regiment have just left Kingston under command of Colonel Stewart."

(C. 1221, pp. 151-4.)

Supercession of General Sheaffe

The supercession of General Sheaffe and the difficulties to be surmounted in the successful defence of the province were related in a letter addressed to the Duke of York sent to England by Captain Robert McDonall as a special messenger.

"Head Quarters, Kingston, Upper Canada, 23rd June, 1813.

"Sir,

"Since I had the honor of addressing Your Royal Highness on the 15th instant, the Government of the United

States has not ceased to make every exertion to bring forward a sufficient force to wrest from His Majesty's troops the positions occupied by them at one extremity of a long line of defence while every nerve has been strained by me to maintain and strengthen them. It is therefore probable that the army possessing the power of concentrating and maintaining a superior force at the remote points will ultimately succeed. The resources of America for obtaining this object are not only superior in extent and more readily brought into play but the comparative risk to which she exposes herself by accumulating a great force on the Niagara line, bears no proportion to the hazard I should incur by a similar movement with the troops under my command a measure that would unavoidably expose several of our vulnerable points. The two fleets are at present nearly equal but in this respect also the resources of America for increasing her navy on the lakes are greater in extent and more easily available than those possessed by England. To counterbalance these advantages however English discipline and valor are decidedly in our favor. If my observations are correct Your Royal Highness will allow that the chances of success are on the side of America in proportion as her superior resources are suffered to accumulate and grow into so preponderating a force as neither to be checked nor counteracted by valor and discipline. This is the principle which has hitherto guided my conduct. I have acted upon it with some success. I have disappointed the expectations of the American Government of finding Upper Canada an easy conquest as well as in its view of obtaining the fur trade and of obtaining an absolute dominion over the Indians. The support I have received from the General Officer in command since the death of Major General Brock I am sorry to say has not always corresponded with my expectations. Circumstances bearing an insufficiency on the part of Major General Sir R. H. Sheaffe to the arduous task of defending Upper Canada, have induced me to place Major General de Rottenburg in the military command and civil administration of that Province which measure will, I hope meet with the approbation of His Royal Highness the Prince Regent and that of Your Royal Highness. Except Sir John Sherbrooke the Major General is the only General Officer of high character and established reputation serving in the army in the North American Provinces to whom I could entrust this important duty without embarrassing myself with it to the prejudice of the other possessions of His Majesty committed to my charge.

"Your Royal Highness will I hope pardon my lamenting the detention and delay experienced by the Regiment

de Watteville going to Halifax previous to their coming to Quebec, altho' I am satisfied His Majesty's Government adopted this precautionary measure from some decided opinion which it had received upon the subject, still I cannot but regret it as the consequence of so circuitous a route when all dangers from ice in the River St Lawrence had ceased, that I have been deprived of the services of this valuable corps at the critical period when the enemy reckoning upon their numerical superiority were induced to make a third serious attack upon Upper Canada with means amply sufficient for the enterprise with an improved army better organized, better disciplined and more all is commanded I expect to be joined by that regiment in the course of the next week, and then I shall feel enabled to undertake some offensive operations calculated to cripple and destroy the enemy's marine resources by the success of which I can alone hope to maintain the position I at present hold in Upper Canada

"I feel truly gratified for the interest Your Royal Highness has been pleased to take in the naval concerns of this command It is however with regret I inform Your Royal Highness, that I have been compelled to dismantle the batteries at this post for the purpose of arming the vessels lately built on the lake in consequence of the disappointment I have experienced in the arrival of the carronades I had demanded for that service both from England and from Nova Scotia

My aid de camp Captain McDouall will have the honor of delivering to Your Royal Highness this despatch He is an intelligent deserving officer and well qualified particularly from having lately been with the different divisions of the army on our frontier and personally engaged in several of the actions to give any information respecting the state of the Provinces, which Your Royal Highness may require from him"

Controversy Over Fighting

In accordance with Prevost's instructions of the 7th June Vincent advanced with his main body to the Forty Mile Creek and sent forward an advanced guard to the Twenty Mile Creek under Lieut Colonel Bisshopp to occupy the road junction there From this force Major de Haren with two companies of the 104th the right company of the 8th Kerby's newly organized company of Incorporated Militia and two small troops of Provincial dragoons was directed to occupy the site of the present city of St Catharines where three roads branched off leading to Niagara Queenston and Chippawa Lieut James FitzGibbons with a company of picked men from the 49th Regiment was sent forward on the road from the Twenty Mile Creek to De Cew's falls to occupy a

stone house at that place The whole body of Indians, numbering nearly five hundred, were instructed to form their camps in the woods nearly midway between de Haren's and FitzGibbon's positions to be in readiness to support either, while Bisshopp could advance to the assistance of either with nearly equal facility, or they could retire upon his command De Haren established outposts at the crossings of the Ten Mile Creek on the roads toward Niagara and Queenston Scouting parties were sent out on the roads leading to the river to gain intelligence and arrest persons suspected of sympathy with the enemy On June 24 a detachment from the invading army advancing against FitzGibbon's station was surrounded and compelled to surrender

The field of action in this combat was so extended and in many places so thickly wooded and on the part of the victors so many detachments were acting independently under different officers that considerable misunderstanding occurred and prolonged controvesy ensued in after years Besides FitzGibbon's party of the 49th which had actually taken little part in the fighting although its opportune appearance in the enemy's front at a critical moment and its commander's adroitness and audacity had induced the surrender, a large body of Indians from Lower Canada under Captain Dominique Ducharme and other French Canadian officers, and a smaller number of the Six Nations commanded by Captain William Johnson Kerr and his cousin, Lieutenant John Brant, had been actively engaged, and part of a troop of Provincial dragoons had taken possession of the road by which the enemy had advanced and menaced their retreat The officers commanding these parties not unnaturally believed they had not received sufficient credit for their exertions

Extracts from The Quebec Gazette

Two accounts of the battle evidently written by well informed local residents, were published soon after in the Quebec Gazette

"THE QUEBEC GAZETTE.

"THURSDAY, JULY 15, 1813.

"Montreal, July 6.

"Immediately after the gallant affair of our advance on the 6th ultimo Lieut Fitzgibbon made applicat on to General Vincent to be employed separately with a small party of the 49th Regt and in such manner as he might think most expedient, the offer was accepted, and this little band has since then been constantly ranging between the two armies Many

events would naturally occur on such a service which would be very interesting but are necessarily prescribed in our limits of the tale and we will confine ourselves to two very extraordinary occurrences about the 30th Lieut Fitzgibbon went in pursuit of a Canadian volunteer cavalry brought over by a Deserter Captain Ball and as I was for some weeks [illegible] Lieut and Chippawa I came to that at Lundy's Lane about a mile below the falls he discovered that they had been joined by 150 infantry also there was a man 44 muskets he did not think it advisable to attack and therefore his party was kept concealed He however rode into the village at the end of the lane dressed in green to reconnoitre he could not perceive the enemy Mrs Kerby[1] who knew him ran out and begged him to ride off for that some of the enemy's troops were in a house at a short distance he saw a horse at a door and supposing there were none but women in the house he dismounted and approached it when an infantry soldier advanced and presented his piece at him He made a spring at him, seized his musket and dressed him to surrender the American resisted and held fast at this instant a Freeman jumped from the door with a rifle presented to Lieut Fitzgibbon's shoulder who was near to him that he seized the rifle below the muzzle and pushed it under his arm keeping its muzzle before and that of the musket behind him, in this situation Lieut Fitzgibbon called upon two men who were looking on to assist him in disarming the two Americans but they would not interfere poor Mrs Kerby apparently distracted used all her strength in vain, the Freeman finding that he could not disengage his piece drew his sword out of its scabbard with the left hand with the intention of striking at Lieut F when another woman a Mrs Dunfield[2] seized the plaid arm and wrested the sword from his grasp, at this moment an orderly man named Iverson came up and forced the American from his hold on the rifle and Lieut F immediately had the other soldier prostrate, a young boy of 15 years old son of Dr Fleming was very useful in the struggle which lasted some minutes Lieut F thus relieved lost not a moment in carrying off his two prisoners and the horse as the enemy's forces were within 200 yards of him searching a house round a turn of the road

At 7 o'clock in the morning of the 24th ult Lieut F received a report that the enemy was advancing from St Davids with about 1000 men and 4 pieces of cannon, to attack

[1] Wife of Captain (afterwards Colonel) James Kerby of the Second Regiment of Lincoln Militia

[2] Sarah, wife of Edward Dunfield

the stone house in which he was quartered at the Beaver Dam, about an hour afterwards he heard the report of cannon and musketry he rode off to reconnoitre and found the enemy engaged with a party of Indians who hung upon his flanks and rear and galled him severely Lieut F dispatched an Officer to his men and by the time of their arrival the enemy had taken a position in an advantageous at some distance from the woods in front he estimated the enemy's strength at 600 men and 2 field pieces a 12 and 6 pounder To make the appearance of cutting off his retreat Lieut F passed at the charge step across his front to gain his other flank, under a quick fire from his guns which however did not the slightest injury He took post behind some woods and saw that the Indians were making very little of the enemy and it would have been madness to turn with 44 muskets to dash at them across open fields where every man he had could be so easily perceived Many of the Indians were at this time taking themselves off and he began to think of his own retreat he had a hope however that Colonel De Haren would soon join, but fearing that the enemy would drive him off to make good their retreat he determined to play the old Soldier and summon the enemy to surrender He tied up his handkerchief and advanced with his Ensign bearing the "case flying" a flag was sent to him by a Capt M Douall of the Artillery — Lt F stated that he was sent by Colonel Debaren to demand their surrender and to offer them protection from the Indians adding that a number had not joined from the north west who could not be restrained and he wished to prevent the effusion of blood The Captain went back to his commanding officer Lt Col Bærstler and soon after returned saying that Col B did not consider himself defeated and would not surrender Lt F proposed that Col B should send an officer to see Col Debarens force when he would be better able to judge of the necessity He soon returned with a proposal that Col B should himself be shewn the BRITISH and if he found the force such as to justify his surrender he would do so to this Lt F said he would return to Col Debaren and state Col B's proposal The real intention of shewing the enemy's officer our small force never entered but appearances must be kept up in order to arrive on the ground Lieut F's return he found Capt Hall[1] with 12 Dragoons just arrived to whom was communicated what had passed and Capt Hall immediately assumed the rank of Commander for the purpose On this Lieut F returned and stated that Col Hall now being the senior officer on the spot did not think it regular to let the

[1] Captain John Hall of the Canadian Fencibles, Inspecting Field Officer for militia cavalry

enemy see his force but that it was perfectly ample to compel the surrender, and from motives of humanity, five minutes would be allowed for acquiescence, and if refused, hostilities would recommence at the expiration of this period Col B agreed to surrender on condition that the officers should retain their horses arms and baggage and that some militia and volunteers (among whom were Dr Chapin and his marauders) should be permitted to return to the States on parole When the extent of our force is considered, it is no wonder, that these conditions were immediately acceded to Lt F at this moment most fortunately met with Col Clarke of Chippawa who came galloping up and who proceeded to assist him in disarming the enemy as Col Hall could not appear and his only officer an Ensign must remain with the men Col Debaren immediately afterwards appeared with the flank companies of the 104th Regiment and the whole affair was soon settled, thus putting into our possession 26 officers one 12 and 6 pounder under two carriages and two waggons and above 500 prisoners, including about 20 Dragoons Had not Col Debaren arrived at that moment this large number of the enemy would have yielded to 43 soldiers of the 49th regt for all the arrangements were made previous to the arrival of that officer The Indians behaved well they killed and wounded during their skirmishing about 50 of the enemy We are informed that at the moment of the summons being set, many of the enemy had gone off the number of Indians engaged did not exceed 80 Thus terminated a bloodless victory on our part If promotion and reward await the Officer selected to be the bearer of dispatches announcing an enemy's defeat, we cannot doubt but the hero of this achievement will receive that favor from his Sovereign to which his services have established so just a claim and who we believe has no other patronage but his own distinguished merit"

"THE QUEBEC GAZETTE

THURSDAY, JULY 28, 1813

"Montreal July 17

"Extract of a letter, Flamborough, Upper Canada, June 20th, 1813

"The loss of another division of about 700 men and two pieces (a 12 and a six pounder) of cannon seems to have determined the enemy to remain close to that place, where I am sorry to say, the conduct of their Generals, their officers and men has been disgraceful in the highest degree to the inhabitants who had returned to the place upon repeated promises, as well general as particular that their property would be

respected and protected. Plunder is however the order of the day, and what is worse, the personal liberty of all the inhabitants has been taken from them except a very few indeed, who were always suspected and who have now openly joined the enemy. You will not be surprised when you learn that the Editor of the late Guardian led the American army in pursuit of ours when we recollect the matter with which its columns were usually filled. Another and worse Irishman is seen at the head of almost every party of depredators who too frequently visit the inhabitants of the country lately. To the honor of Niagara be it said that General Dearborn has been heard to express much regret and sincere disappointment that so few of the inhabitants should have sought protection under the wings of the American eagle and the keen disappointment he feels may have goaded him on to the disgraceful and mad step he has committed in sending off to Greenbush those that he could get hold of amongst whom, I am sorry to enumerate the names of Edwards, Morehead, Dickson, Symington, Lawe, the two Kerrs, M'Ewan, Paterson, Addison, Powell, Hepburn, Green, Ralston, Crooks, Jones, Ball, Decou & John Crooks. Mr Lawe, M'Ewen & the two Kerrs, were wounded in the attack of the 27th past and I understand no means of conveyance whatever will be allowed the road unless at their own expence. I had the good fortune to escape this jaunt from the circumstance of my living about six miles back in the country whither I had removed my family immediately after the attack on York took place. Twenty-five mounted riflemen were however sent after me, having caught a glimpse of them a short distance from the house. I had time to effect my escape into the woods and the next morning at day break I proceeded for this place leaving Mrs. very unwell and family in the hands of a set of miscreants unequalled in the annals of the world however, I hope a just vengeance will overtake them and that they will be severely retaliated upon for all their enormities one part of which I must relate. Twenty-three of our soldiers taken on the 27th at Longeen who are to be dealt with for the same matter that an equal number of Irishmen taken at Queenston and at other places in arms against their Sovereign and whose papers were sent to England last fall."

"The following account of the action between the Indians and Americans on the 28th ult was written by a Gentleman who witnessed the attack & addressed to a friend in this city.

"I beg leave to inform you of the gallantry and coolness displayed by the Cognawaga Lake & the Iroquois Mountains and St Regis Indians under orders of Captains Ducharme,

Lorimier, Gamelin and Lieutenants Le Clair, Evangeliste St Germaine, and Langlade, in the action which was fought on the 24th last, at 12 mile creek. Their military prowess deserves the highest enconiums. At 7 o'clock in the morning our brave Indians perceived that the enemy was approaching, upon our advanced posts, and notice was given to Colonel De Haren by an officer of the department, but he would not believe it. The officers of the Indians department went to meet the enemy with our gallant warriors and entered into an engagement that lasted from eight to twelve o'clock unassisted by regular troops, and only aided by three men of the incorporated Militia who came on, and Capt. Kerr and Lieutenant Brant with 15 Agniers[1] Indians. The enemy was three times hardly repulsed with great fright and loss.

"Their force consisted of 700 foot, 100 horses, 50 riflemen, and 3 pieces of ordnance.

"Some of the riflemen made their escape, but the remaining part of the army not being able to get out of the hands of our brave Indians warriors, was left a prey to their valour, when the Colonel came on and concluded a capitulation with the enemy. In order to assuage the wrath of the Indians, Captains Duclarme and Lorimier were obliged to repeat what Col. Claus had promised to them, that they would be put in possession of the spoils and horses of the enemy. The Americans lost about 100 foot, 15 horses killed, and 600 prisoners, with all their artillery and horses.

"The loss of the Indians consisted of 7 men killed, and 16 wounded."

Extract from The Niagara Gleaner

A letter dated 10th July, 1818 published in the Niagara Gleaner on 16th July of the same year contains the following interesting statement:

"Even the Indians of Upper Canada do not appear to have been so lotty engaged as those from the Lower Province sent by the Commander of the Forces to assist in defending our country; for the people of the Grand River had only one Deleware killed, the Chippewas from Matchedash also one killed of their warriors, while the whole amount of the loss of the Indians in that affair, I think, amounted to nine men."

From Colonel Harvey to Captain Kerr

Captain William Johnson Kerr was extremely discontented on finding that he had not even been mentioned in official correspondence and continued to press his claims for recognition for many years. In 1818, he had addressed a memorial

[1] Mohawks

to the Duke of York, Commander in Chief of the Army, in which he enclosed letters from FitzGibbon Major Evans, and Colonel Claus, supporting it, which are printed in Volume VI of the Documentary History on pages 119-121 He had written at the same time to Colonel (afterwards Sir John), Harvey, then acting as Adjutant General in Canada, who gave him faint encouragement in the following letter

Head Quarters, Quebec,
4 April, 1818.

"Dear Sir,

"I fear the time is past for making any representation with any prospect of advantage on the subject of your letter

"His Royal Highness the Commander in Chief as well as His Majesty's Ministers can only form their judgment on Military events in remote parts of the world from the Official documents and reports which they receive through the Established and regular channels of communication These have given considerable credit to Captain Fitz Gibbon for his conduct and address in the affair at the Beaver Dams & you will assuredly be told that if you considered the merit, which of right belonged to you on that occasion had been given to another, you ought to have made your representation at the time when the facts could have been investigated by competent judges on the spot My advice to you, however, as you state it to be your intention to proceed to England, is to apply personally to General Vincent, who held the command at the period to which your refer (who never intentionally injured any human being, I am certain) and in whom I am persuaded you will find every possible disposition to do all that may be in his power to place your really gallant, zealous and useful services during the late War in the light which they merit I beg you to make whatever use of this Letter you may think proper and to believe me, Dear Sir, to be &c.

J. Harvey

"Captain W J Kerr,
"(late) Indian Department"

From Kerr to Earl Bathurst

Kerr's application was unsuccessful Seven years later he prepared a second memorial stating his case in different terms, addressed to Earl Bathurst, who had been Colonial Secretary since 1812

"Your Lordship's Memorialist was at the capture of Fort Niagara, Lewistown, Fort Schlosher, Black Rock, and Buffalo

on the Enemy's Shores, was also in the battle of Chippawa under Major General Riall in which action your Lordship's Memorialist was made prisoner and detained until peace took place when the department was reduced

"Your Lordship's Memorialist was in the mercantile business previous to the late War in this Country and from his connections and influence with the Six Nations Indians was solicited by Major General Sir Isaac Brock and Colonel Claus, Deputy Superintendent General of Indian Affairs, to accept of a Captaincy in the Department from which circumstances the property of Your Lordship's Memorialist was taken and destroyed to a large amount whenever it was found and in consequence your Memorialist has suffered very material injury

"Your Lordship's Memorialist begs leave to refer to the Letters transmitted herewith in corroboration in some degree of the above statement Had he ever been as solicitous to procure certificates of his conduct during the late War in this Country as he was zealous to further His Majesty's Service, he would have been enabled to lay before Your Lordship more satisfactory proof of his claims to Your Lordship's consideration

"Your Memorialist therefore humbly prays Your Lordship to take his case into consideration and to recommend him for a pension or half pay agreeable to his Rank from the period of his discharge from the Department, which was on the 24th day of December, 1815 or such other compensation as to Your Lordship may seem meet, and as in duty bound will ever pray,

William J Kerr
"late Captain Indian Department

"Barlington Bay,
"Upper Canada,
"12 October, 1825"

This memorial was forwarded to Colonel Claus, as Deputy Superintendent General of Indian Affairs at Niagara, for transmission to the Lieutenant-Governor

Certificate from Claus

Besides copies of letters from Major Evans and Fitz-Gibbon, a certificate from Claus was enclosed written on the anniversary of the action at Beaver Dam in 1818.

Fort George, U Canada,
"24 June, 1818.

"I do hereby certify that Wm J Kerr, Esquire, late Captain in the Indian Department, commanded a party of the

Western Indians and Six Indian Nations in an action with the Enemy commanded by Lt Colonel Butler on the 24th day of June, 1813, near de Coe's Beaver dam when the whole of the American force were captured with two pieces of ordnance, Trumbrils, &ca None were engaged with the Enemy that day but the above Indians and about 180 of the 7 Nations from the Province of Lower Canada

"W Claus, Dy Supt General."

In his letter forwarding these papers Claus considered it necessary to point out an error in the memorial

"Fort George,

"12th December, 1825

"Sir,

"I have the honor to transmit herewith a letter from Mr William J Kerr, addressed to me and dated the 12 ultimo, covering several documents which he requests that I will transmit to His Excellency Major General Sir Peregrine Maitland, K.C.B

"I feel it my duty to correct a statement made in Mr Kerr's memorial that he was appointed by the late Major General Brock, he was appointed at my request by the late Colonel Myers, who then commanded on the frontier in the absence of Major General Sir Isaac Brock, who was then at Detroit I have no doubt but Mr Kerr believes the appointment was made as he stated

I have the honor to be &c

W Claus Dy Supt General
Indian Affairs.

"Major Hillier,
Secretary to His Excellency
Major General Sir P Maitland"

The memorial then forwarded differed considerably from former statements and boldly claimed the entire credit of defeating the enemy and forcing them to surrender The Lieutenant-Governor made no recommendation

From Maitland to Earl Bathurst

"Upper Canada

York, 15th December, 1825

"No. 204
"Miscellaneous.

"My Lord,

"At the request of Mr William Kerr, formerly a Captain in the Indian Department in this Province I have the

honor to forward to Your Lordship his memorial praying for half pay on account of his services in that capacity during the late War This memorial is accompanied by several certificates and by a representation from the head of the Indian Department in the Province

I have the Honor to be, &c

P Maitland

"The
"Earl Bathurst, K G
&c &c &c

"To the Right Honorable Earl Bathurst Secretary of State for Colonial Affairs, &c &c &c

"The Memorial of William Johnson Kerr, Esquire of the District of Gore in the Province of Upper Canada and late a Captain in the Indian Department

"Most respectfully sheweth

"That Your Lordship's Memorialist was appointed Captain in the Indian Department at the commencement of the late War between Great Britain and the United States of America by the late Major General Sir Isaac Brock and served under the following Officers, viz Major General Sir Isaac Brock, Major General Sir Roger Hale Sheaffe Major General Vincent, Lieutenant General Sir Gordon Drummond, Major General Riall and Colonel Claus of the Indian Department and was in most of the actions fought on the Niagara frontier

"That your Memorialist had the honor to command about five hundred Indian Warriors on the 24th day of June, 1813, and attacked a much larger force of the Enemy under the command of Colonel Boerstler, and obliged him to surrender after a severe engagement of two hours, in which action were captured about six hundred prisoners of the Regular Army, two field pieces, one six and one twelve pounder, two Baggage waggons, two tumbrells five hundred stand of small Arms, forty horses and a stand of Colours on which occasion there was not a single cartridge expended by His Majesty's regular forces, neither were there a single soldier or militia man killed or wounded That Major Genl Vincent in his official dispatch of that affair gave the whole credit of the affair to Lieut Fitzgibbon of the 49th Regiment, when in right it was due to your Memorialist and the Indian warriors under his Command as will appear evident to Your Lordship from the Letter of Sir John Harvey Depy Adjutant General at the time as well as that of Captain FitzGibbon himself, who commanded a small detachment of the 49th Regiment, consisting of

about fifty men who were not in the action, although they arrived at its close. The report of the Battle transmitted by Your Lordship's Memorialist to Colonel Claus, Deputy Supt General of Indian Affairs, was not noticed by Major General Vincent in his official dispatch. Your Lordship's Memorialist begs leave to refer to Lieut. Colonel Bishopp's report of that action as it appears in the Annual Register for that year. Your Lordship will perceive from the Letter of Colonel Evans, (then Major of Brigade) that the favorable result of that action effectually checked the Enemy's maurading parties along the Niagara frontier to the great relief of the inhabitants, His Majesty's subjects."

Letter from James FitzGibbon

More than two years later, probably in compliance with a request from Captain Thomas Coleman, who had commanded the Montreal troop of Canadian Light Dragoons, FitzGibbon acknowledged the service rendered by a party of his men at the Beaver Dam.

"York, Upper Canada,
"26th April, 1828.

"I served in Upper Canada during the late American war and have seen something of the services of the troop of Provincial Light Dragoons raised in Lower Canada by Captain Coleman. On the 24th of June, 1813, a detachment of that troop arrived most opportunely in front of a detachment from the American Army whose commanding officer I was then negotiating terms under which the detachment was to surrender themselves prisoners of war. The detachment did surrender and I have no doubt that the appearance of the cavalry had a favorable effect and contributed to make them surrender. The numbers of the enemy exceeded 550 men including about 50 dragoons with two guns, tumbrils, waggons, &c. The British troops present at the moment the terms were agreed upon consisted of a detachment of the 49th Foot under my command not quite 50 men and about 20 dragoons of Captain Coleman's troop with a body of Indians. From this force the American detachment might without difficulty have retreated had they known its amount and the direction of the roads in the vicinity.

"The other services of the troop I did not witness but of the character of its commander and the conduct of the troop I had often heard favorable mention made.

"James FitzGibbon,
"then Lieut. in the 49th Regt."

From FitzGibbon to Sir John Colborne

Four years afterwards when seeking preferment from Sir John Colborne who had succeeded Sir Peregrine Maitland as Lieutenant Governor of Upper Canada FitzGibbon presented another memorial giving a detailed account of his military services in the war

"EXTRACT FROM A MEMORIAL FROM JAMES FITZGIBBON TO SIR JOHN COLBORNE, DATED AT YORK 4th JUNE 1832."

"Humbly sheweth,

"That Your Excellency's Memorialist was Lieutenant & Adjutant in His Majesty's 49th Regiment in Montreal in Lower Canada when the Government of the United States of America declared War against Great Britain in the year 1812 That desirous of being employed in the most active service he solicited leave to resign his Adjutancy and was by the authority of the Commander of the Forces permitted at once to give up the latter office which office was then filled by the Commanding officer of the Regiment placed him in command of a company That he was left when the rest were to escort a Brigade of Boats, 24 in number from Montreal to Kingston with ordnance stores of great importance to the Posts in Upper Canada at that Crisis That this service was successfully performed, and on returning to Montreal he found his Regiment under orders for Upper Canada and proceeded with it back to Kingston That in January following he was selected to conduct to the Niagara Frontier a Brigade of 45 Sleighs with Stores where he arrived on the 18th of that month and was four days afterwards detached with the Companies under his command to the most distant outpost dependent on Fort Erie That after the action at Stoney Creek in June following he applied for and obtained leave to select a Detachment of 50 Chosen men to be employed in advance of the Army and with authority to act against the enemy as he pleased and on his own responsibility solely That he advanced from the Army at ten o Clock at night of the same day on which he made the application having during that day selected the Men for his detachment and transferred the Companies he commanded with their accounts to another officer, and on the 24th of the same month aided by a body of Indians he captured a chosen Detachment of the Enemy sent out from Fort George expressly to capture your Memorialist and his small Detachment which Detachment of the Enemy consisted of upwards of 550 men of whom 50 were cavalry, with also two Field

Pieces a six and a twelve pounder, and four Tumbrils and Caissons That for this successful operation His Royal Highness The Prince Regent was graciously pleased to promote him to a Company That during the remainder of the War he was constantly in the advance parties of Militia frequently under his command except during short periods in Lower Canada whither he was sent three times during the War That during the Operations on the Niagara Frontier in 1814, the Lieut Colonel and the Major of the Incorporated Militia were successively wounded and sent to the rear, and after the departure of the last wounded of those officers, Sir Gordon Drummond was pleased to appoint your Memorialist to the command of that Corps which command he held during the remainder of the operations before Fort Erie, and until the Lieut Colonel was so far recovered as to resume his Command, when your Memorialist returned to his Company That in February following he was sent from Kingston to Quebec to recruit from limited service men then in that City waiting the opening of Navigation to be sent home to be discharged, but the ratification of the Treaty of Peace being announced he was sent back to his Regiment in Upper Canada, having under his command one hundred men who had volunteered, and who were marched by him over the Snow to Kingston That in the year 1816 the Regiment into which he had been promoted was disbanded and he was placed on half pay"

This was accompanied by a copy of a letter from Sir George Prevost and a memorandum by Sir John Harvey, commended his conduct very warmly

From Sir George Prevost to James FitzGibbon

"Head Quarters – Kingston
"29th June, 1813.

"Sir,

"It is with much satisfaction I take up my pen to acknowledge the high sense I entertain of your distinguished conduct in the management of the affair which terminated in the surrender of Colonel Boerstler's detachment from the American Army on the 24th Instant

"The impression under which I address you cannot leave a doubt in your mind of the nature of my disposition towards you and of my intention of submitting the detail of your services to His Royal Highness The Commander in Chief's consideration

"I have the honor to be &c,

"George Prevost

"Lieut FitzGibbon
"49th Regt"

Memorandum by Lieut.-Colonel John Harvey

"Lieut FitzGibbon was permitted to select the Men for this service and their conduct proved the discrimination evidenced in the Selection both with respect to the Enemy and towards the Inhabitants their conduct was admirable

"The Lieutenant himself displayed most valuable qualities as a Partisan Officer and the detachment in every respect fully answered the purposes for which it was formed

"J Harvey
Lt Col D.A.G

"Kingston, Upper Canada
"20 December 1814"

(From copies attached to FitzGibbon's Memorial to Sir John Colborne of 4th June, 1832.)

The want of necessary supplies had prevented Vincent from advancing with the main body of his small division as he was obliged to rely almost entirely upon the resources of the adjacent country for subsistence and transport. Acting on the advice of the magistrates in their recent addresses he had, with apparent reluctance and misgiving published a district order announcing that martial law "shall immediately come into effect, as far as supplying the wants of the army under any plan, or the sending away or apprehending all traitorous or disaffected persons may render expedient."

From J. C. Herries to George Harrison

The loss of provisions and military and naval supplies destroyed in the magazines and storehouses at York and Fort George was reported to be serious and extremely distressing as they could only be replaced by precarious shipments from England at an uncertain date. This is shown in a letter from J. C. Herries, dated at the Commissary in Chief's office in London, on the 31st July, and addressed to George Harrison, secretary to the Treasury Board.

"I have the honor to state to you for the information of the Lords Commissioners of His Majesty's Treasury that Mr Robinson in a letter dated Quebec 19th ultimo, reports his having received Letters from Depy Asst Commissary General Crookshank at York, apprizing him that the Army under General Vincent has been obliged to retreat and had taken up a position at the Head of Lake Ontario and that in consequence of the Army's Retreat from Fort George Mr Crookshank apprehended that most of the supplies at that place had fallen into the Enemy's hands.

"Mr Rol nson also adds that from other Sources of Information he had learnt that the Sloop of War on the Stocks at York with all the Marine Stores for completing her in building rigging & were burned"

From Hon. John Richardson to Simon McGillivray

The gloom and depression caused by these reverses were very tor[illegible] ed in a private letter to Simon McGillivray then in [illegible] ated at Montreal on 7th June, 1813, and probably written by Hon. John Richardson a member of the Legislative Council of Lower Canada, and a partner with McGillivrays in the North West Fur Company and later the reputed author of "The Letters of Veritas"

"The first ships from Quebec are to sail on the 10th Inst, at least a month later than I expected for I thought our Governor would have sent instructions to send off a vessel early with an account of our political situation which must excite a little interest even in England

"Since the Navigation opened in April the enemy has carried on [illegible] operations directed for the subjugation of the Upper Province. The recent surrender of Niagara has gone far to complete our wishes as we thereby are cut off from all Communication with the Country beyond it and I am very apprehensive that in return for the favors and gallant Conduct of General Procter who has so successfully fought and repeatedly beat the Enemy, and I may have with reason added kept possession of not only our own Territory but that of Michigan he is doomed to [illegible] the powerful overwhelming force or be forced [illegible] for want of supplies of provisions and Ammunition. He must have heard that the Indians soon join him in force by [illegible] to recover La Tranche and uniting with General Vincent at the head of Lake Ontario but it is dubious if the latter will [illegible] to maintain his position and it is certain now that if we do not beat the Enemy on the Lake Vincent must retire [illegible] which would enable the Americans to send troops and stores from Kingston which would be a total loss to them and General Procter. Our ships have only kept Amherstburgh Army with Provisions and Ammunition

"An attempt may perhaps be made by Genl Vincent to go to the assistance of Procter but it will be a bold measure & its success in relieving Detroit &c must depend on their being strongly supported by the Indians

"Dickson is expected to arrive at Detroit with a considerable number about [illegible] strong but I am afraid they they will

be mefficent when they find us without supplies and hear of our Disasters lower down

'As the events that have been passing in this Province since the commencement of the war seem to have excited little or no alarm for our safety it may be that Government will not be at all surprised when they learn what has happened But that would be singular for the Enemy has proclaimed his intentions his preparations have been seen and known since October last & not sooner & nothing else could be expected Be assured that after General Brock defeated Hull, and rendered abortive the hopes of the American Cabinet on the breaking out of the American War every misfortune which has befallen us has arisen from the infatuation of our own Government in not sending Troops and a few sailors to the Province & rendering not only unavailing but injurious to us (by exhausting our supplies) even the very victories that we have so bravely and so often had the honour obtained

"At the commencement of the War we had on Lake Ontario five fine ships carrying from ten to 30 Guns when the Enemy had only one 18 Gun Brig and four or five paltry schooners Strange however to relate we had not a Sailor nor Captain to command them that had seen a shot fired & when sent to capture with our whole Fleet the Enemy's Brig, they ran away because a 32 Pounder was fired at them from the shore and they were afraid it would hit their vessels It is also a fact that two of our Vessels of 12 & 15 Guns each would not approach an Schooner with one gun and the latter got off in triumph loaded too with Military Stores When the enemy found us thus despicable they set seriously about recruiting their Navy and had so far succeeded by the end of Oct that they took a four Mer hant ships out one and blockaded our ships of War in Kingston Had Government been pleased during the Summer to have sent us about 250 Sailors to fight our ships Dominion of the Enemy would have been annihilated their Harbour rendered useless and they never could have had it in their power to enter into competition with us on the Lakes where they only had one Port Thus the very foundation of our Misfortunes would have been destroyed for without ships they could not have collected such large bodies of Troops at any given place nor have made any descent on our side of the Lake nor yet have prevented us from reinforcing as was required such points as they threatened with attack

'But not a Sailor was sent us till the Spring and tho' they arrived after a most fortunate passage & were sent off with uncommon expedition and exertion they were only 450 in number and the blow was struck beforehand This deficiency

of Sailors was soon perceived but other causes within our own Control succeeded to distress us The first was the Armistice between General Prevost and General Dearborn whereby Gen. Brock was stopped in the Career of Victory and the Enemy got time to strengthen their Works collect their forces and prepare for us the battle of Niagara in October This sanguinary Contest in which that excellent and ever to be lamented Officer General Brock lost his life was so favourable for us that the whole of the Enemy were kill'd or taken & what did his successor Major General Sheaffe do? He liberated all his Prisoners but the Regulars & made an immediate Armistice to give them time to collect forces for another attack This they did in the face of our Garrison, who could have destroyed their whole fortifications and taken their cannon with only 100 men so reduc'd were they after the Action

"But as soon as General Smyth had collected 6 or 7000 Men & brought his Boats to a convenient Spot for crossing, he inform'd us that the Armistice was at an end and again attack'd us He was defeated and their Line was subsequently left to the care of about 500 men & could easily have been taken, but as on all former occasions we were not allowed to attack them 'We would irritate them and that would unite them' said some of our wise men and then they would be sure to Conquer us The same policy has been adopted by our Government throughout They have allowed the enemy to inflict misery on us wherever he chose and have prevented us from retaliating when in our power In one solitary instance at Ogdensburg we retaliated and the Governor General's order apologized for it Till the end of February the whole of the Enemy's Navy lay in Sacketts Harbour guarded by about 500 Men and tho only 40 miles distant from Kingston and at least 2 000 men could easily have been sent over yet the golden opportunity was negected the Enemy perceived his danger and sent several thousand Troops to guard against it

"From that time they began their preparations which have ended in the capture of our whole Line with all our valuable stores Guns & Provisions at Niagara with the sacrifice of 3 to 400 valuable lives & the pillage and ruin of all the Inhabitants in that part of the country The grand outset at York cost them (the Enemy) 700 Men that at Fort George near 3 to 400 so that they have not obtained a Bloodless Victory

"Another and very serious piece of misconduct on our part was the building of a new ship (a Brigate) at York where there was neither fortifications nor Troops to defend it, and

where it could be destroyed without the Enemy's landing There was not a man in the Country besides them who laid it down that did not predict that it would be burnt on the opening of navigation & such was the unhappy fate of that ship, that had it not been burnt, it was next to certain there was not water to launch it, or soil that would support the ways, for [illegible] Lakes and a deep marsh is not well calculated for supporting a heavy weight It would also have been necessary that we should be Masters of the Lakes to be enabled to transport to York the Guns Anchors Cables & other materials and if previously Masters of the Lake there was no occasion to build that ship The expense of building there was also double what it would have been at Kingston, where it would have been in company with the rest of our Ships and in perfect security

"This ship, which if we had Guns and Sailors, would now have been ready to go out, would undoubtedly have made us complete Maters of the Water and the want of it may not only occasion our defeat but endanger or even cause the loss of Upper Canada

"With such ships as we possess Sir Jas Yeo sailed from Kingston to assist General Vincent on the 3rd Inst and if Com Chauncey with his 19 sail against our six feels bold, a battle must very soon take place I have all the confidence in Sir James that his high character deserves and hope success, tho' the odds in ships Metal and Men are much against him I am not yet of opinion because the American Frigates have beat ours that we are not superior to them and tho' Chauncey is deem'd a good Officer I think Sir James is at least his Match A drawn battle will not suit us for the Enemy can soon recruit both ships and Men but we cannot We have only a Schooner on the Stocks they have a Frigate

"If Chauncey does not come out, till the new Frigate is ready which will be in a month's, we shall be badly off, for he will then have a superiority we cannot oppose We ought in such case to send 3 or 4000 men down to Sackett's Harbour, and I am confident that with the assistance of our fleet we will destroy them If we can do that we may recover Niagara but I am afraid we cannot do it otherwise

"Indeed it would be folly to attempt it with less than 4000 Regulars assisted by our Fleet the Militia and Indians.

"The Americans have at least 10000 men on our side, and can destroy Batteries carry off Guns and render the Post untenable but by superior numbers If the Enemy beats our Fleet we must try to keep Kingston which will be difficult to do as they can cut off the communication between that place and Montreal, and prevent supplies from being forwarded.

Thus our situation is not the most agreeable, and we have little prospect of its being better. A great part of the intended reinforcements for this Country is to come from Halifax, yet strange to say tho' the Troops were there since March, if not sooner none of them have yet appeared altho' the Sailors arrived from Europe a month ago.

"Those from Cadiz have not arrived nor any others but 1500 men from Ireland partly raw Recruits. One would really imagine the Government expects this extensive Country is to be maintained against the population of the United States by a handful of men for tho' only 6,000 Troops come out this year they may indeed with the assistance of every comfort of the Inhabitants and of their ordinary pursuits enable us to defend the Lower Province but as to acting offensively it is a mere farce.

"The Enemy will be much elated with his late success, and will readily get as many Volunteers as he chooses to molest us in the Upper Province and threaten us here. This will divide our small force and render it inadequate to any enterprise.

"I shall not be surprised if in the course of three or four weeks we have 8 or 10,000 men on our lines.

"An alarm was given us the other day when two of their Armed schooners of 11 Guns each attacked four Gun Boats we have at the Isle aux Noix. We luckily took them and they will be a great service to us on Lake Champlain where we had not a Vessel.

"We are in general very badly off for intelligence of the Enemy's operations because economy will not admit the expence of obtaining it whilst on the other hand we have a considerable number of Americans residing in the Province who give their Countrymen all the information they can wish. The business of York has given such a disgust to General Sheaffe that he never can have the least influence in that Province. The Enemy not only got the public Stores there but we did not remove the Masters Clerks when there was £2,500—the Royal Standard was left but fortunately must not have been found by the Enemy as we think was consumed with the Government House and what may be more injurious to us still, no part of the correspondence of Government or any of the confidential papers were removed. The Enemy got them all, and a portion of them will very probably hereafter decorate the Columns of the American Gazette. I shall say nothing of the manner in which the defence of the place was conducted, as opinions are divided but it is very harshly censured.

"To come to our actual situation I shall confine myself to observing that nothing but a Naval Victory can save any part

o the Upper Province above Kingston, and if we are beat the latter place as well as the whole of that Country must I fear fall

"The system hitherto pursu'd of not attacking the Enemy, however fair the opportunity, has been our ruin and if continued must involve a Load of distress & cause our subjugation Should we fortunately obtain a decided Naval Victory, we shall probably be able to drive the Enemy out of the Upper Province as we need not keep a strong garrison at Kingston and our whole force may be brought to one point I am not without hopes of success and am convinced that Sir James Yeo will beat them if anybody can They have at least 1000 good sailors which is more than double our number

"But we are not disheartened as the disposition of the People is good & both by Water & Land we shall give many hard blows before we surrender The 8th Regiment has suffered severely in the Actions at York & Fort George and the officers in General have borne the brunt of the Misfortunes of the day None of our Friends at Niagara are kill'd"

(Q 125 pp 87 100)

From McGillivray to the Secretary of State

Mr McGillivray transmitted the above extract from his friend's letter to the Office of the Secretary of State for War and the Colonies in a covering letter dated at Cannon Street on August 10 in which he made some significant comments

"In corroboration of my correspondent's observations," he wrote "I can state one fact which may perhaps not have come to your Lordship's knowledge On the very evening before the Action at Queenston Niagara in which General Brock fell he wrote a letter to a friend in Quebec expressing his decided disapprobation of the system of forbearance by which he was prevented from crossing the River to destroy the means which the Enemy were preparing actually in sight to attack him when and where they thought fit—He complained bitterly that his hands were tied up and wished that he was employed with Lord Wellington or on any service or under any circumstances different from those in which he was then placed On the following morning he was attacked and fell and with him fell the best hopes of the people of Upper Canada

"I shall not further trespass upon your Lordship's attention than merely to express my earnest hope that effective succours may be sent to Canada before the close of the Season—Seamen and Marines for Lake Erie and Lake Ontario are

particularly and indispensably requisite if Upper Canada is to be defended and the defence of that province, remote as it is, is so necessary to the interest of this Country and the honor of the Crown, that a doubt cannot be entertained as to the intentions of His Majesty's Government upon the subject

"If Lake Ontario was accessible to ships from the Atlantic Ocean I have no doubt that a sufficient portion of His Majesty's Navy would be sent thither to destroy any Force which the Enemy could collect and the question now is shall a sufficient number of Men without the Ships be sent thither for the same purpose?

"I am perfectly aware," he took care to add discreetly, "that the comments of private individuals upon public measures are frequently liable to error from their being not sufficiently informed of all circumstances of the case, or the consideration which may have led to the adoption of the measures complained of, but in the present instance, I have occasion to think that the universal opinion in Canada accords with the observations made by my correspondent upon the impolicy of the system of forbearance by which the American Forces upon the Frontiers of Canada have been suffered to accumulate and collect for the Invasion of that Province, which have now made them so formidable and which since the opening of Navigation they have employed with so much effect."

(Q 125, pp 83-6)

Lieut.-Colonel Cecil Bisshopp

Encouraged by the unforseen and amazing result of the fight at the Beaver Dam Vincent immediately advanced his headquarters to the Twelve Mile Creek and sent forward strong outposts to the line of the Four Mile Creek on the lake shore road at the Cross Roads and at St Davids, where they found comfortable quarters in the mills and farm houses. Cattle sheep and pigs were taken without immediate payment and slaughtered for food out of sheer necessity and horses and waggons impressed for transport General de Rottenburg arrived on the last day of June with a small reinforcement and assumed command This increase of force aggravated the difficulties of maintenance as a small transport loaded with provisions and ammunition destined for its supply had been captured by the enemy But the line of outposts was strongly reinforced and extended to Queenston in the expectation of cutting off all local means of supply from the invading army The baggage of all ranks was cut down to the lowest point An officer of the Royal Scots informed

his wife that "no officer is allowed more than he can put under his arm and run with on all occasions."

An attempt to interrupt the enemy's line of communication on the opposite side of the river had then become practicable and early on the morning of July 5 the small post at Fort Schlosser was taken by surprise. The same day a scouting party of the enemy was driven across the river at the Fort Erie ferry and an attack upon Black Rock was reported practicable by FitzGibbon. This was successfully carried out on the morning of July 11 but heavy loss was sustained in re-embarking. Lieutenant Colonel Cecil Bisshopp, who was in command, received three severe wounds which at first were not considered dangerous. They proved fatal five days later and his death was felt to be an almost irreparable loss. During his few months of service he had become generally admired and respected by all ranks among the militia as well as the regular soldiers. He was the only son of Sir Cecil Bisshopp, baronet, who afterwards became Lord de la Zouche. He had already served with credit in Flanders, Portugal, and Spain and had been elected as member of the House of Commons for Newport in the Isle of Wight. His death at the early age of twenty-seven was scarcely less lamented than that of General Brock. He rests under an altar tomb in the graveyard on Drummond Hill and his portrait has been selected as a fitting frontispiece to the present publication.

FitzGibbon's Statement

A written statement by FitzGibbon preserved among the papers of Bishop Strachan shows that he claimed great credit for planning these operations.

"On the declaration of war by the United States Government I resigned my commission of adjutant of the 49th Regiment in the hope of being employed on detached service as opportunities might occur. I was immediately detached with an Escort in charge of a Brigade of Boats to Kingston in July, and from thence in January following with a Detachment to Fort George.

"From the vicinity of Fort Erie I was called in to join the army retreating from Fort George on the 27th of May, 1813.

"After the affair of Stoney Creek I requested the general to detach me in advance of the army with 50 men to be employed at my discretion. The request was granted and in twelve days after I captured Colonel Boerstler's Detachment of the enemy.

"The Americans having been confined soon after to Fort George, I was sent to the Fort Erie frontier to protect the

inhabitants from the plundering parties frequently sent from the enemy's shore. On the night of the 3rd of July I planned an attack on the Posts of Black Rock and Schlosser to be carried into execution on the night of the 4th. Boats could not be procured to cross to Black Rock whither I had marched on the night of the 3rd. I then determined to cross in a small skiff with Colonel Burwell and Lieut. Wm. Kerby of the Militia volunteers for the occasion, and burn the Block House and Navy Buildings Island Scnaw Island. At the same time I sent Ensign Wonder and Volunteer Thompson of the 49th Regt. to Chippawa with a note to an officer of the militia, who had just arrived there with 30 men, requiring him to proceed under the direction of Mr. Wonder and attack Schlosser at Daylight next morning. Col. Clark had happened to meet Mr. Wonder on his arrival and was pleased to approve of my plan and he took command of the party himself. He took the place making Prisoners two officers and a few Men and brought away four large Boats, a Brass Field Piece, and a considerable quantity of small arms and other Stores.

"The wind blowing fresh during the night made it impossible for me to cross to Black Rock the skiff being too small.

"Notwithstanding that the enemy now knew I was on the Frontier I determined again upon attacking Black Rock, having procured boats from below. Two days afterwards I had everything in readiness when Colonel Bisshopp came up and informed me that he had obtained the General's leave to attack it himself, and that my Detachment was to compose part of his. Arrangements being made He attacked it on the 11th my Party leading the advance. I was in possession of the place before he came up, his boats having been carried far down in crossing the River. The result of this affair is well known."

(Ontario Bureau of Archives. Strachan Papers. Package Q)

From Major Fulton to Sir George Prevost

An unpublished letter to Sir George Prevost from Major J. F. Fulton, one of his aides de camp, who had been sent as his representative to de Rottenburg's Headquarters shows that desertion had become alarmingly frequent.

"12 Mile Creek 7th July, 1813.

"I am extremely sorry to inform Your Excellency that the desertions from this army lately have been very great. No less a number than fifteen men from the 104th Regiment, four of whom belong to their flank companies. In consequence of the shameful conduct of this corps, the Royals have been sent

to relieve them. Three men have also deserted from the 41st Regiment, one of whom has been taken and is to be tried this day."

(Dominion Archives C 1024 p. 24)

General de Rottenburg was a stern disciplinarian, trained in a foreign army. He was not inclined to treat such a crime lightly. The private of the 41st who had been taken on his way to the enemy was tried found guilty and sentenced to be shot to death. The sentence was instantly approved and carried out next morning in the presence of as large body of soldiers as could be assembled to witness it. A few days later five men of the 104th and a private of the Royal Scots, also taken in the act of deserting were tried found guilty, sentenced and shot in the presence of many of their comrades. Desertions then became rare.

When he had relieved General Sheaffe of the military command in the province de Rottenburg had taken the oath as President of the Executive Council and Administrator of Civil Affairs in the presence of as many of its members as could then be assembled and announced the fact in a proclamation from Kingston on June 19. The arrival of the governor General and the establishment of his headquarters at Kingston a few days later created an anomalous situation.

DeRottenburg supplemented Vincent's limited procalmation of martial law by another appointing certain magistrates as commissioners to take charge of the grain and livestock on farms abandoned by their owners or tenants who were supposed to have joined the enemy and dispose of such property to the best advantage for the subsistence of his army.

From Thomas Dickson to Edward MacMahon

A letter from Thomas Dickson of Queenston, one of these commissioners, to Edward MacMahon, the civil secretary, has survived.

"Thorold, 21st July, 1813

"Sir,

"I am this moment favored with yours of this date and shall go out this evening and consult with Messrs. Street, Clark & Cummings who are at present the only Magistrates left in this part of the District and will either answer your letter more particularly thereafter or take the first opportunity of waiting on His Honor Major General de Rottenburg to give every information I am able respecting the number of meat cattle in the District of Niagara."

(C. 686, p. 68)

From Chief Justice Scott to General de Rottenburg

To remove any doubt of the validity of such proceedings, Chief Justice Thomas Scott had been consulted and the advice of a committee of the Executive Council obtained. This was given in a letter from Chief Justice Scott to General de Rottenburg

"York, July 18th, 1813.

"Sir,

"The Acting Attorney General has signified to me as Chairman of the Committee of the Executive Council by desire of Your Honor that after the possession of a part of our frontier in the District of Niagara by the American army, many of the inhabitants, disaffected to our Government, joined the enemy & that some of them have left large crops of grain almost ready for harvest that unless some measures are speedily taken, will be altogether lost. He has also signified that Your Honor desires the Committee of the Executive Council to suggest some method by which you may be enabled to secure for the benefit of the public the produce of the lands thus treasonably abandoned.

"The Committee after serious consideration beg leave respectfully to submit that it is inexpedient to commit to any of the military departments the carrying into effect the measures proposed. the plan suggested by Your Honor ought to be adopted in appointing Commissioners in the districts where the inhabitants have so deserted their lands to report upon the cases that do occur, to make the necessary arrangements for the preservation of the grain to appreciate its value, and receive and answer any claims that may arise by reason of the execution of their powers.

"The Committee beg leave further to submit as their opinion that the Commissioners ought to be appointed by Your Honor from the Magistrates of the Districts where the lands so deserted are situated."

(Sundries, Upper Canada 1813)

From John B. Robinson to Edward MacMahon

A letter from John Beverly Robinson, the acting attorney general, to Edward MacMahon contained a draft of a proclamation and gave further legal advice.

"York, July 23rd, 1813.

"Sir,

"In obedience to His Honor's desire signified in your note of the 20th instant I enclose draft of a proclamation upon the principles mentioned in the Chief Justice's letter.

"At the same time I beg to be permitted to state through you to His Honor that according to my impression of the matter the reference to the Executive Council was merely to obtain the sanction of their advice for the adoption of a measure by His Honor not precisely consistent with legal provisions but perfectly equitable in itself and absolutely necessary in the present situation of the country. It could not be expected that although they acknowledged the necessity of the object to be obtained and recommended the adoption of some measure to reach it the Executive Council could furnish the means because any step taken to that end must in some degree anticipate the operation of the law and of course cannot be in conformity to its rules. The Council have no other means than the laws afford them of enforcing obedience to any order consequently if they make an order not sanctioned by the law they have no power of enforcing it at all and should a Commissioner in acting under this proclamation meet with opposition he must be supported by the military authorities.

"In fact a particular measure highly yet not strictly warranted by law is found absolutely necessary for this supply of His Majesty's troops defending this Province. The Executive Council appointed for His Honor's guidance and advice have upon reference acknowledged the necessity and recommended the adoption of a measure to meet it. As president of this Council and as an Act of that Council His Honor cannot enforce that measure. As Commander of the Forces he can. It seems better then for the sake of consistency and propriety and that every department may preserve its proper functions that the measure should expressly originate in that power which only can produce or uphold it.

"Upon these grounds I take the liberty of suggesting that instead of publishing the enclosed proclamation His Honor should by a military order or notification as Commander of the Forces appoint the Commissioners mentioned in that instrument and make such order for the regulation of their proceedings as he may deem expedient and I am the more free in this recommendation as I observe that the letter of The Honble Chief Justice merely suggests the appointment of Commissioners without expressing by what authority they should be named. His Honor's discretion however will determine and I trust what I have said will be found intelligible and reasonable.

"N B

"I take the liberty of sending a form of notification which His Honor may adopt, a copy of which or of any more proper

that may be chosen should be sent to each person named as Commissioner and several other copies affixed in places of notoriety"

(Sundries, Upper Canada, 1813)

Following this advice a district general order was issued dated at the army headquarters St Davids on July 24 appointing Richard Hatt Samuel Hatt Richard Beasley, Robert Nelles, Abraham Nelles William Crooks, Samuel Street Senior, Thomas Clark Thomas Dickson John Warren Crowell Wilson and Thomas Cummings as commissioners to take charge of the abandoned property "to husband the same, to gather in the grain and dispose therefrom to the best advantage for the legal claimants"

From Prevost to de Rottenburg

The subject of the punishment of persons arrested for treasonable conduct by martial law was referred to Sir George Prevost as Commander in Chief for his advice which was given in a letter addressed by him to General de Rottenburg from Kingston on July 28

"I have had the honor of your letter of the 24th inst requiring my opinion and advice respecting the mode of proceeding against persons charged with treasonable practices during the existence of Martial Law in the Niagara District If Martial Law has in fact been regularly proclaimed in the Niagara District I conceive that little difficulty will exist upon this subject as in that case under the 15th & 16th articles of the 14th section of the Articles of War persons accused of the crimes you mention may be brought before a General Court Martial which you are already authorized to convene and may be tried and punished by it, but I have some doubt whether Martial Law does at present exist in the Niagara District to the extent that would warrant a Court Martial to take cognizance of such offences if committed by those persons

"The declaration of Martial Law by the District General Order published by Brig General Vincent and the authority given him by Major Genl Sir R Sheafte was merely for the purpose as far as my recollection serves me of getting a supply of provisions for the troops and to authorize the seizure of such supplies from persons withholding them

"If from the circumstances of the enemy being in possession of part of the Niagara District and the danger consequently to be apprehended from the traitorous practices of those who are disposed to favour them you deem Martial Law necessary to be enforced such as Part of the Pro-

vince having power to declare it, you ought in my opinion to put that District under Martial Law and thereby to suspend, for such time as you may think it expedient, the jurisdiction of the ordinary Courts of Law When that is done there can, I think, be little doubt that persons accused of the practices alluded to might be tried under the 15th and 16th articles of the 14th section of the Articles of War before a General Court Martial to be assembled in the usual manner"

(C 1221 pp 143 4)

The manner in which the commissioners carried out the duties imposed upon them is indicated in the following certificate

"John Mann having applied for leave to take care of the Stock and grain on the farm abandoned by Ebenezer Kelly in the township of Grantham by virtue of the power vested in us by General de Rottenburg we hereby agree that John Mann should take possession of the Grain & stock on the said farm, and as soon as possible render unto us an account of the same witness our hands at Stamford 28th August 1813

"Thomas Dickson J P
"Thomas Clark J P

Dominion Archives Sundries, Traitors & Treasons War, 1812

The burden of the war bore heavily on all classes of the inhabitants in the seat of military operations in the Niagara District under the limited application of martial law When General Vincent retired to the head of Lake Ontario on the evening of May 31 he established his headquarters in the house of Colonel Richard Beasley then commanding officer of the Second Regiment of York Militia Finding the adjacent lands were a fine defensible position he determined to occupy and fortify it as a depot for supplies and a temporary naval base It then became known as Burlington Heights

Beasley was a cousin of Lord Richard Cartwright and had in early life been an assistant commissary at Fort Niagara. Afterwards he became a fur trader at Toronto but settled at an early date in the township of Barton He bought a large tract of land on the Grand River from the Six Nations, part of which he had sold profitably to settlers from the United States He had represented Durham, West York, and the first riding of Lincoln in the second parliament of the province, and West York the first riding of Lincoln, and Haldimand in the third parliament He had been elected speaker in the third session of that parliament and was without doubt a

person of considerable importance The claim for compensation which he presented, after the war had ended and possession of his farm was relinquished on the first day of September amounted to £3,475 17/, Halifax currency He acknowledged the receipt of £225 as rent for his house, £75 as rent for his barn, and £16815 as rent for his storehouse from the 1st June 1813 until the 1st September 1815

His Claim was accompanied by the following letter

From Richard Beasley to the Board of Claims

"To the President and Gentn composing the Board of Claims at Fort George

"Gentn

"I have thought it necessary to Accompany my Ac't with a letter containing a statement of a few facts which can be Substantiated by most of the Magistrates of the District of Niagara I was in the year 1813 situated on a farm in the Township of Barton in the District of Niagara consisting of nine hundred and fifty Acres of land one hundred and sixty of which was cleared and under fence their was on the premises a Brick House Barn Store house and Out houses, an Orchard containing two hundred bearing apple trees, a Garden with a number of choice fruit trees and a Nursery of Young Apple trees I depended on the product of my farm for the support of myself and family which consisted of myself wife and eight children besides servants My premises on the 1st of June 1813 was taken forcible possession of by his majesty's Troops under the Command of General Vincent the provisions I was then provided with for the Support of my family as well as my crops that were growing was totally destroyed by the Army and I was prevented from Sowing my Buck Wheat & Other Grain myself and family had to leave the premises and I seek shelter where we could find it Shortly after the Battle of Stony Creek which was On the 6th of June 1813 the Army commenced fortifying on my premises the Destruction that they and the Indians who were encamped on my Land and made in my timber was Astonishing my farm and Buildings are lett in a most Desolate Situation the depreciation and Waste of my property at Burlington has been Great will be Admitted I presume by persons who have had personal knowledge of the situation of the premises previous to the War and the state they are in at the present time

"I am Gentn your humble Servant,

"Richard Beasley

"Barton 12th Septr
1815"

From Mrs. Hannah Frey to Lieut.-Gov. Gore

After the advance to the Four Mile Creek the farm houses, barns, mills, storehouses, and buildings of every description, were occupied for military purposes, from the lake to St Davids, and ultimately to Queenston The fences were torn down to permit free movement of troops and were then burned as firewood Timber was recklessly cut down to form breastworks and shelters or merely to clear the ground in front The farm belonging to Mrs Hannah Frey at the Cross Roads became the main position of Vincent's force Her misfortunes were briefly and reticently stated in a petition addressed to Lieutenant Governor Gore, dated at Niagara on the 20th February, 1816

"Your memorialist is the widow of the late Captain Frey formerly belonging to the Corps of Butler's Rangers

"That the said Captain Frey, Husband of your Memorialists, was killed by a Cannon Ball from the enemy's Battery on the 21st of November 1812 She was thereby deprived of the benefit she received from his Half Pay

"That after your Memorialist experienced so ruinous and melancholy a loss she still derived some relief from the rent of a House in the Town of Niagara until a merciless Enemy destroyed it by fire with the rest of that devoted place

"And a farm at the Cross Roads in the Township of Niagara which was occupied by His Majetsy's troops and Indians from the 17th of July till the 9th of October, 1813, during that time they destroyed it by making Batteries, Breastworks and Incampments and burning fences which has rendered it useless ever since

"That the many severe losses sustained by your Memorialist has reduced her circumstances to the lowest ebb.

"Your Memorialist therefore prays that your Excellency will be pleased to give her such relief by way of a Pension or otherwise as your Excellency in your wisdom may think meet"

This application was supported by a letter from Colonel Robert Nichol then a member of the Legislative Assembly, who having been Quartermaster General of the militia during the war knew her situation well It was addressed to William Halton, the Lieutenant Governor's civil secretary and dated at York on the 26th February 1816

"Having been applied to by a Mrs Frey of the Niagara District to state her case to His Excellency, the Lt Governor, I beg leave to observe that Her late Husband, Captain Bernard Frey was on duty at Niagara on the 20th November, 1812,

as a Volunteer & was on that occasion killed by a shot from the Enemy's Batteries

"Captain Frey was on the half pay of the late Corps of Butler's Rangers and was a very loyal & zealous subject The following year when the Enemy got possession of the country Mrs Frey was on a charge of sending intelligence to the British Army taken prisoner & sent into the States & when the British army at a subsequent period advanced to the four Mile Creek it encamped on her farm -having destroyed her Fences cut and destroyed her Meadows & Fields for the purpose of entrenching themselves by which she sustained great injury—Mrs Frey thinks that on a representation of her case to His Royal Highness He will be graciously pleased to order her a pension agreeable to the scale for officers' widows & hopes that His Excellency will be pleased to interfere in her behalf"

Losses Sustained by George Adams

George Adams who was a magistrate and a Lieutenant in the First Regiment of Lincoln Militia, had been dangerously wounded in the battle on the 27th May and taken to his home in the small village at the bridge over the Twelve Mile Creek, which had lately received the name of Saint Catharines When General Vincent advanced to that place his headquarters were established in his house probably the best available building His claim for compensation shows that this fact did not save him from the insistent demands of a force living on the resources of the country they were engaged in defending

"Statement of Losses sustained by George Adams of the Township of Grantham by His Majesty's Troops and Indians in the year 1813 commanded by General Vincent

"49 sheep killed and Carried away by the Troops and Indians under the Command of General Vincent in July 1813 when on the advance from Stony Creek at 15/ each	£35 11.0
"37 fat Hogs taken from my Distillery at 20/ each	37 0.0
"one Horse Waggon taken by Doctor Thomas for the use of the Hospital (never Returned) on the Retreat in October	15 0.0
"a Receipt given by Mr Ingham of the King's or 8th Regt, for thirteen days of my team which I afterwards lost and never received Payment for at 15/	9 15 0
	£98. 5.0

After the second retreat of the army in October, 1813, his known loyalty and the fact that he was an officer in the militia and a magistrate was considered a sufficient pretext for raiding his house and carrying him away as a prisoner of war In a second raid his distillery was destroyed

"Statement of damages sustained by a Party of the American Army under the Command of General Porter and Colo Hopkins to Geo. Adams of the Township of Grantham in the month of October 1813.

"two Dispatch Horses which had just come off Duty From Major General Vincent Taken by General Porter upon the 11th October, 1813	£ 50.0.0
"two Saddles and Bridles Ditto	10.0.0
"A Large Distillery with three Copper Stills, &c., Burned and Destroyed by a Party of the American Army under Command of Col Hopkins on the Night of the 19th, October, 1813	250.0.0
"this Distillery was situate in the village of Saint Catharines in the Township of Grantham and was occupied as a Bakehouse for the use of his Majesty's troops from the time of Genl. Vincent's advance from Stony Creek untill the Retreat from the Cross Roads in October	
"Halifax Cy	£310.0.0

ADDENDA

The following interesting contemporary account of the battle of Queenston Heights has been communicated to the editor by the kindness of Mrs James Brighty of St Catharines As it contains various particulars of that conflict not found in any other account no apology seems necessary for its reproduction as no copy of the "Bee" newspaper is known to be in existence and the introductory comments of the editor of the "Gleaner" Andrew Heron, are not uninteresting

Extract from "The Gleaner and Niagara Newspaper," Saturday, June 23, 1827 Vol 10, No 32

"We have inserted from an old copy of a weekly called the "Bee," edited by Mr Durand, an account of the invasion of this Province at Queenston during the late war and containing the manner by which our beloved and much esteemed General Brock came to his death, not doubting but it will be interesting to our readers although an old story

"A few copies of the transactions of that uneventful day have been struck off and are for sale by the person who has the care of Brock's monument

"We believe there are few travellers who pass the road from the Falls to this town but will take the opportunity of enjoying for some minutes the charming and extensive prospect from the platform of that monument We understand that a good telescope has been provided which will add greatly to the delightful prospect

"The extraordinary lenity shown to the Militia prisoners taken at Queenston was very impolitic, and we now know had no good effect Had they been taken bravely defending their own country every person would have approved of these measures They would have then been performing a sacred duty, but when they volunteered to invade a foreign country, they deserved less lenity than regular troops who are obliged to go wherever they are commanded This however was only a continuation of the wretched policy that had been advocated by those who ought to have known better which led to the ruin that followed on this frontier

"Immediately after the declaration of war by the United States, General Brock made preparations to take possession of Fort Niagara which it was well known could easily have been done—the works in a ruinous state and only a few men Unfortunately a Council of War was held, at which some of our country gentlemen acted a prominent part and advised

the General not to cross the line—the reason assigned was, forsooth, that it would irritate the enemy

"During the time of the Battle of Queenston, it was known that every person had fled from the Fort, and although the General was urged to allow possession to be taken he declined Now we have no hesitation in stating, that had the Fort been taken as it afterward was by the brave Colonel Murray without consulting the T O and W D and fortified as it afterward was this Town would not have been destroyed, and of course the Frontier on the other side would have been safe, which was a loss to both sides, and a benefit to none."

(Reprinted from the "Niagara Bee" of October 24, 1812.)

"The unfortunate loss of the brave General Brock, early in the morning of the memorable 13th inst., in the battle of Queenston Heights for a while seemed to overcloud the brilliant sun of victory and the people paused to mourn their country's friend ere public rejoicing for the glorious issue of the day could prevail The loss is truly great and requires the pen of an able panegyrist to paint it in its proper colours; perhaps it is as well that it has fallen to our humble lot to blunt the poignancy of grief from our inability to portray the numerous virtues of the fallen Hero now lost to the people of Canada forever lost General Brock was bold and daring, even to excess—utterly regardless of danger—his country's good—the honour of England the fame of Britain was his leading star—onward he moved and as he advanced swept in his train a series of gallant achievements to the page of history terrible in battle yet a most generous foe—a friend to humanity—he loved the inhabitants of Canada—their interests were his continual study their rights and privileges his sacred care to preserve—none suffered under his administration even the guilty wretch sued confidently to him for mercy—can it be wondered then that he is universally beloved, and that he is alas now equally regretted

"He died in the honourable bed of a soldier—the Field of Glory peace to his shade—the grateful tribute of many a friendly tear has fallen from the warrior's eye and down the lovely cheek of female beauty, in sad recollection of their forever lost friend

"The morning of the 13th most dreadful retribution was taken on the enemy for our misfortune—the carnage in the boats as they were crossing to invade our shores was horrible —whole boatloads of the enemy were annihilated by the fire of our Artillery and gallant soldiery, whilst others overwhelmed with terror took refuge in a watery grave—until

about a quarter of an hour previous to the death of General Brock every effort of the enemy to succeed in landing was foiled except at the extreme point in the Queenston bottom, where from its situation was out of reach of our cannon at this particular spot [illegible] before Lieut. Evans [illegible] part of the 49th Regiment and three boats of Militia artillery here [illegible] by a detachment of the Heights of Lake Militia and a party of the 49th who [illegible] This was [illegible] and formed close under the hill. The enemy received a volley lost six men killed and wounded and retreated to their boats under cover of a steep bank from where a continued fire was kept up and returned from our fort for about an hour with the loss of one man killed and four wounded.

"It was from under this bank and the ledge of rocks up the river that the enemy first attempted to ascend a fisherman's path up the mountain [illegible] by small trees and shrubbery from the view of our troops at the battery and elsewhere, at least until they got [illegible] considerable numbers when they were discovered by a party near the stone house of Mr George Hamilton and immediate information sent from thence twice toward the battery stating the circumstance the first intimation was accidentally neglected and the last, when the General's horse was [illegible] a small party (about 30 or 40 men were ordered to march with Lieut Col McDonnell joined by Major Robinson[1] as a volunteer from the battery along up the mountain to oppose them back again by the time, however they reached the summit they found the enemy formed to the amount of about 300 men who immediately commenced firing and from the superiority of their number succeeded in driving our men back and came down on the battery from which General Brock and his small force retreated toward Queenston.

"It was in a small orchard near to the tavern formerly occupied by one Myler that General Brock received his mortal wound supposed to have been a musket shot fired from near the battery and which entered below his breast and lodged near his backbone. He drew his sword rallied his men and was in the act of leading the charge at the head of the Light Company of the 49th & [illegible] the Militia when the fatal ball was received his exclamation was push on brave boys never mind me' and well did the men perform their orders notwithstanding the disadvantages of being obliged to ascend the hill exposed to a heavy fire from the top which by this time was

[1] Probably Major William Robertson of the First Regiment of Lincoln Militia a step-son of Hon Robert Hamilton

covered with troops who had follwed up the path before mentioned) and a cross fire from near the edge of the rocks on the river where they found a fresh reinforcement of them, and whom their turn succeeded in forcing our party to retire on St. David's and Vrooman's battery, and for a while they remained in possession of Queenston Heights and the Hill battery.

It was in the engagement last named that we regret the loss of Lt. Col. McDonell, A.D.C. to General Brock—he was shot whilst encouraging and encouraging them. The Province of Upper Canada by the death of Co. McDonell has been deprived of one of its most enterprising young men—the discerning eye of the Major General had singled him out and was forming his mind to have become a prominent figure among us—fortune had already begun to lavish her favours, and her flushing honours stood thick upon him—he has appeared and passed away from us—he is the last meteor in the firmament.

"His remains were interred [illegible] he has beloved friend and patron General Brock. But to return to our cursory account of the engagement.

"Immediately after the enemy's getting possession of the heights, As it was thought prudent to retire on Vrooman's Battery to wait for reinforcements from Niagara, a party of Indians first arrived, commanded by Captain Norton, who embarked their people to go towards the mountain and soon after the appearance of Major General Sheaffe gave new life and spirits to our people. His Honour was accompanied by his Aid de Camp Mr. [illegible]* Capt. Glegg* Capt. Holcroft of the Artillery &c. &c. The most judicious dispositions were instantly made [illegible] seemed to inspire both regulars and militia and they took their route through the enclosures towards the mountain having along two field pieces. The [illegible] immediately brought the enemy to an engagement [illegible] at the [illegible] of the remainder of the army was [illegible] them.

"These brave troops [illegible] the woods remained on the mountain and kept [illegible] rock which some of them like a flaming [illegible] stone precipitately [illegible] rolling rocks as a great [illegible] almost securely [illegible] The summit was gained with [illegible] and the 41st and 49th advanced [illegible] the enemy [illegible] the Indians

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* Great Colonel Nathaniel Coffin, Brother-in-law of General Sheaffe (1788-1846, afterwards Adjutant General, & Receiver of Upper Canada. *Major John Barkerville Glegg of the 49th Regiment, A.D.C. to General Brock.

and Light Infantry of the 41st and on their right all the Militia.

"In this order they marched onward till they reached the point of formation in a field belonging to Mr Phelps[4] adjoining the main road from Queenston to the Falls and then a further reinforcement joined of Regulars and Militia from Chippawa under the command of Col Clark[5] and Capt Bullock[6]

"The attack now began the Indians and Light Infantry of the 41st on the right and the two small field pieces dealing out a most tremendous fire upon the enemy who were in a small piece of woods that skirted the Queenston Camp It was now that the rash invaders rued their attempt and fled with precipitancy, terror adding wings to their feet and depriving them of reason They hurried one another over the rocks and precipices with the utmost consternation and with a degree of destruction not to be described the dead dying and mangled lay in heaps under the rocks whilst the river received an immense number in its deepy bosom

"A flag of truce from those that remained begging for quarter ended the day and General Wadsworth Colonel Scott and 71 other officers together with 853 men were made prisoners of war The enemy's loss in killed and wounded could not be less than 400 or 500 men whilst ours strange to tell, consisted of only 11 killed and 80 wounded the Indians lost only 5 men and 9 wounded At any time during the day our force did not exceed 750 men that of the enemy from the misstated Buffalo account was 1300 but we think that it was 1500 at least To point out any particular officers or men who distinguished themselves in the late contest would be improper where all did their duty so manfully 'twere invidous to remark – the result the glorious result speaks too plainly to be misunderstood how nobly each arm upheld its country's cause

"Shall we omit to return our humble thanks to the God of Battles for his merciful aid on this splendid occasion? Inhabitants of Canada it is most manifest that the hand of Providence is with us highly approving the justice of our cause, and smiling at our efforts and struggles for our rights and liberties' He – He it is that gives us victory then let us ascribe all to him impress a continuance of His blessings and

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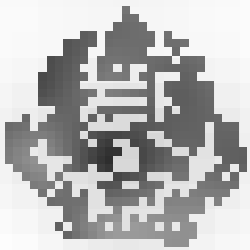
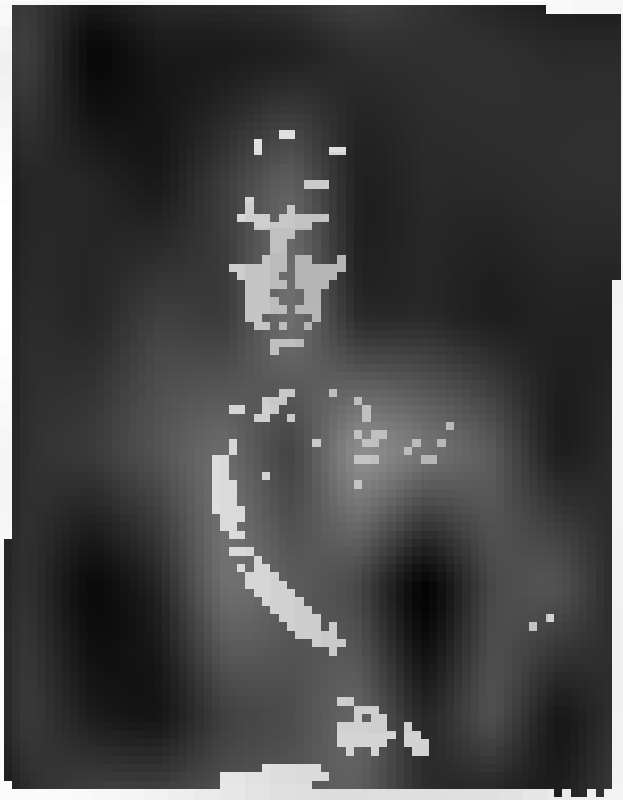
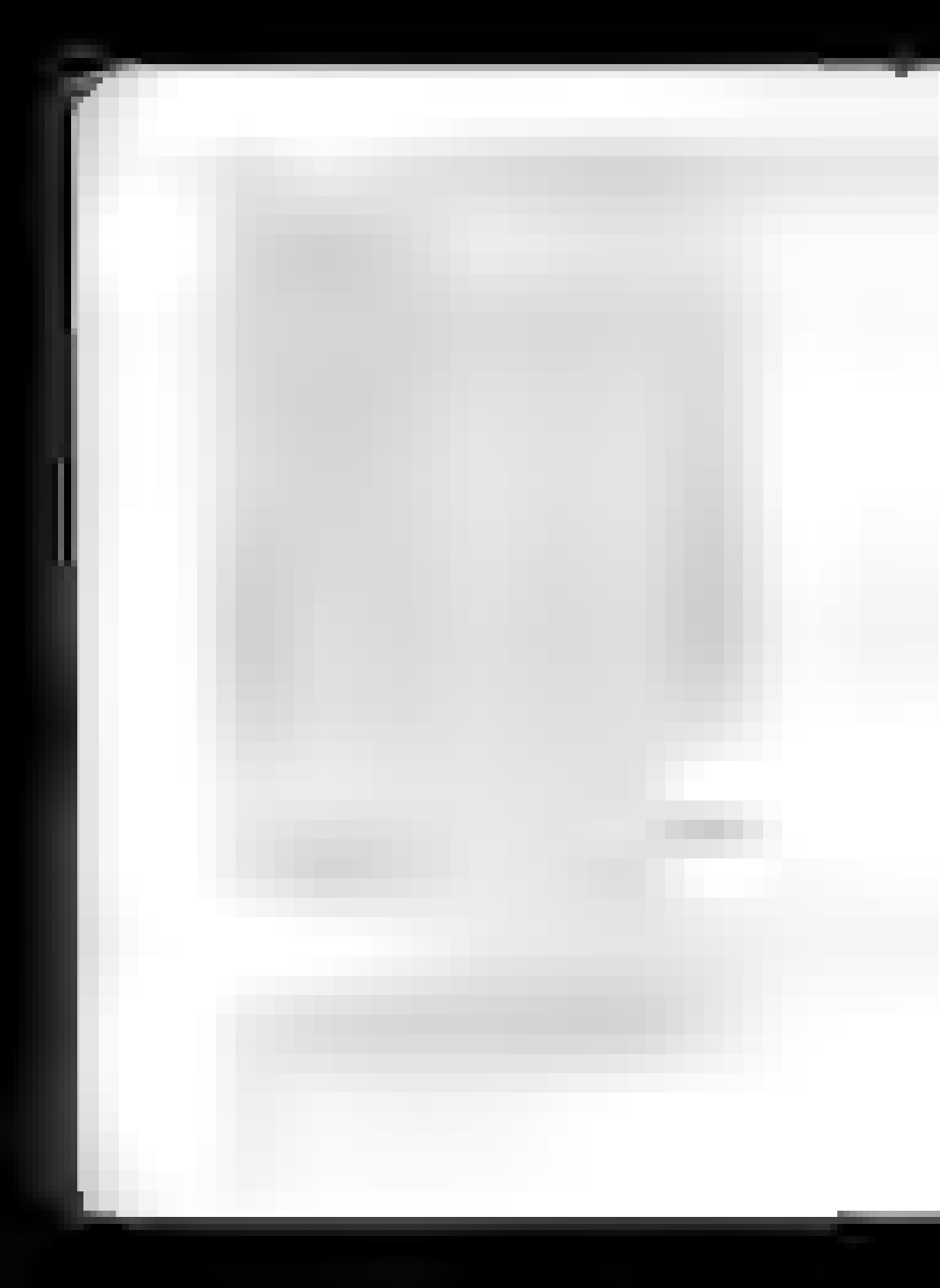
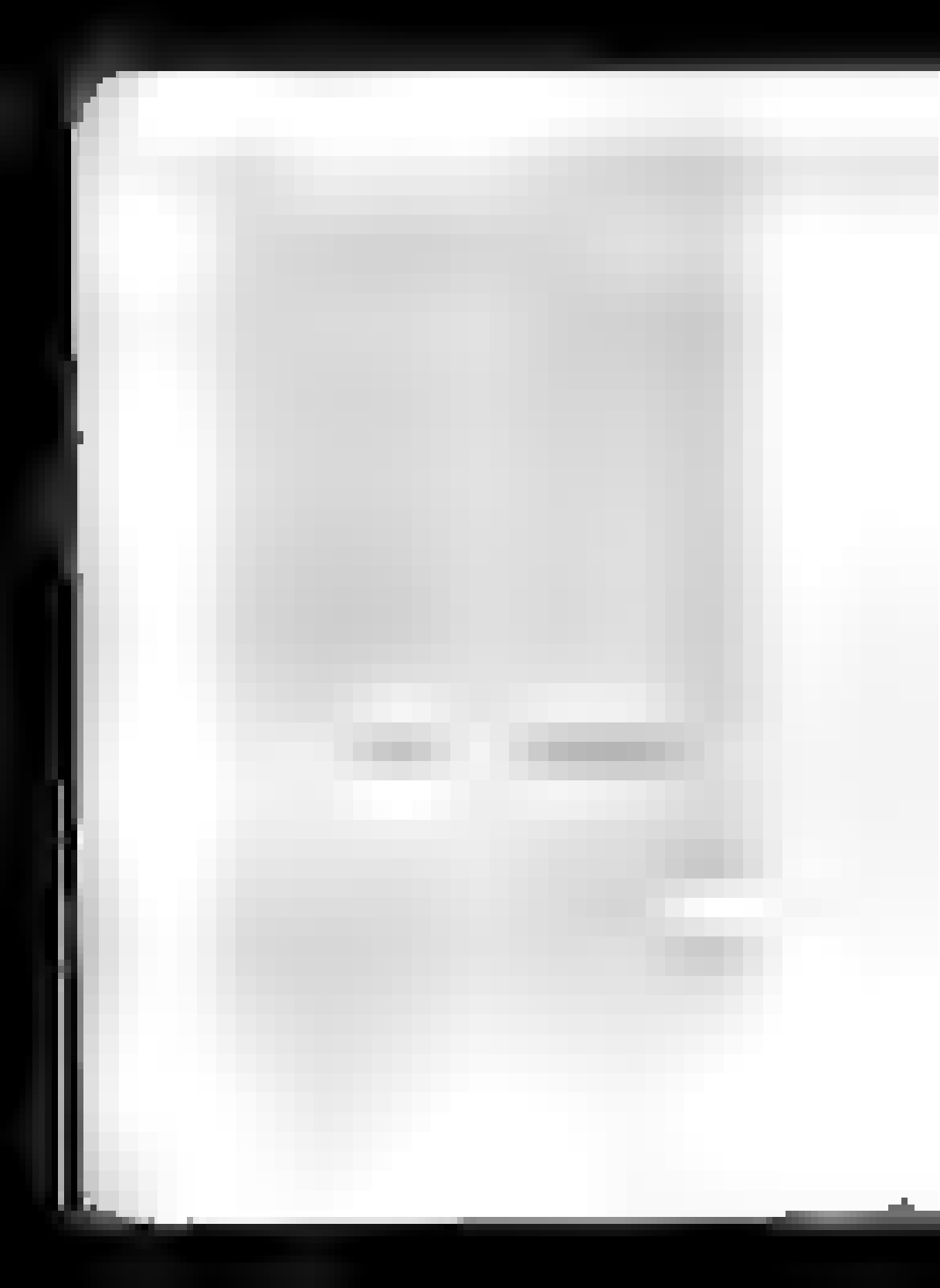
[4] Probably Elijah Phelps see Russell Papers Vol II p 297 [5] Lieut Colonel Thomas Clark of the Second Regiment of Lincoln Militia (1778-1837) a member of the Legislative Council from 1815 until his death [6] Captain Richard Bullock of the 41st Regiment, afterwards Adjutant General of Militia for Upper Canada.

support—and come, Americans come in legions of myriads to invade our land and you will find in Canada an untimely grave!

"On the 18th all the American Militia who were taken prisoners at the battle of Queenston including the officers (and the wounded men indiscriminately) were sent across the river on their parole not to serve during the war and even the officers' side arms were returned to them

"We do not mean to criticise acts of our executive but surely such lenity is not to continue forever! We only wish that the people on the other side may feel that gratitude for such unexampled generous conduct which it merits no doubt it has been the consideration that the innocent militiamen were actually forced at the very point of the bayonet to cross the river that induced his Honour Major General Sheaffe to take pity on them It is impossible however but that such generosity must strike even to their hearts and when these men return to their peaceful home and hear old England's name abused and reviled they will raise up involuntarily and deny the charge and tell the wicked partizans of France, 'tis false and villainous all that you say for here we stand a living proof of the friendship of the British nation towards our country and it is your base and insidious policy alone that has heaped such disgrace upon our country, and caused the murder of our fellow citizens"

The printing press used in the publication of the Guardian newspaper had been sold early in June 1812 to Richard Hatt of Ancaster and his associates who began the publication of the Recorder having engaged James Durand as editor The vivid and circumstantial account of the battle of Queenston reprinted above apparently from the pen of a participant was probably written by him He commanded a flank company of the Fifth Regiment of Lincoln Militia recruited near the head of Lake Ontario in the battle of Queenston and his services were favourably mentioned in General Sheaffe's official letter and in general orders In 1816 he was elected to represent the west riding of the county of York and the townships of Ancaster and Saltfleet in the Legislative Assembly in the place of Abraham Markle who had been expelled for deserting to the enemy He became an active opponent of martial law At the general election of 1820 he was elected as one of the members for the new county of Wentworth, but was expelled for libel on 7th March 1817 He was re elected and sat in the Assembly until 1830 He was a native of Wales, born in 1775 and died at Ancaster in 1833